

By Mr. FITZGERALD: Resolutions of Group 6, of New York State Bankers' Association, approving the general scope of the Aldrich proposal for currency reform, and that it favors the creation of a proper discount market in the United States; to the Committee on Banking and Currency.

By Mr. FORNES: Petition for the preservation of Niagara Falls; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of Sandwich Manufacturing Co., of Sandwich, Ill., for amendment of corporation-tax law; to the Committee on the Judiciary.

Also, papers to accompany House bill 9097 for the relief of Charles J. Beach; to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of James Trevillian; to the Committee on Invalid Pensions.

By Mr. GARRETT: Papers to accompany bill for the relief of the heirs of Edwin Moore; to the Committee on War Claims.

By Mr. HAMILL: Resolution adopted by the board of street and water commissioners, city of Newark, N. J., favoring granting of the right of way and the water supply for fortifications to the United States Government; to the Committee on Military Affairs.

Also, resolutions by the Board of Trade of the city of Elizabeth, N. J., favoring reciprocity with Canada; to the Committee on Ways and Means.

By Mr. HAUGEN: Petitions of numerous citizens of Mason City, Iowa, protesting against the passage of Senate bill 237; to the Committee on the District of Columbia.

By Mr. KAHN: Resolutions urging amendment to the corporation-tax law which will permit concerns to make returns at close of their individual fiscal years, adopted by the following members of the Dried Fruit Association of California and other bodies: Pacific Fruit Product Co., Henry P. Dimond, Phoenix Packing Co., Griffin Skelley & Co., Kings County Raisin & Fruit Co., Fresno Home Packing Co., Winters Dried Fruit Co., Hunt Bros. Co., Griffin & Skelley Co., Golden Gate Packing Co., Monterey Packing Co., F. F. Stetson & Co., Winters Canning Co., California Fruit Cannery Association, the J. H. Flickinger Co., the J. K. Armsby Co., Central California Canneries, Sunlit Fruit Co., Taft & Snyder (Inc.), Castle Bros., John H. Spohn Co., the C. E. Cumberson Co., Ennis Brown Co., Newmark Grain Co., B. Holst Co., W. W. Ellis, H. Ainsley Packing Co., California Fruit Cannery Association, the Merritt Fruit Co., Carquinez Packing Co., and Hyde-Shaw Co.; to the Committee on Ways and Means.

Also, resolutions adopted by Chamber of Commerce, San Francisco, Cal., favoring an amendment to corporation-tax law which will permit concerns affected to make returns as of the close of their individual fiscal years; to the Committee on Ways and Means.

By Mr. REILLY: Resolutions by National Association of Automobile Manufacturers (Inc.), of Hartford Conn., calling attention to need for an amendment to the corporation-tax law; to the Committee on Ways and Means.

Also, resolutions by National Association of Automobile Manufacturers (Inc.), Hartford, Conn., urging upon Congress the imperative need of an amendment of the corporation-tax law making it permissible for corporations and companies to make returns at close of their fiscal years; to the Committee on Ways and Means.

By Mr. SCULLY: Petition of sundry citizens of South Amboy, N. J., in favor of reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolutions adopted by the Milwaukee Clearing House Association, relating to proposed cold-storage industry; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by Elizabeth Board of Trade, of Elizabeth, N. J., favoring reciprocity with Canada; to the Committee on Ways and Means.

Also, resolutions by Washington K. U. V., of South River, N. J.; Division No. 2, Ancient Order of Hibernians, Sayreville, N. J.; and St. Patrick's Alliance, Independent Branch No. 1, Perth Amboy, N. J., protesting against passage of proposed new arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

Also, resolution adopted by the Board of Street and Water Commissioners of the city of Newark, N. J., favoring granting of the right of way and the water supply for fortifications to the United States Government; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Resolution by Rhode Island Business Men's Association, urging that the channel to Providence be deepened; to the Committee on Rivers and Harbors.

By Mr. J. M. C. SMITH: Memoranda in re Frank Hartwell, Company F, Sixth Michigan Volunteer Heavy Artillery; to the Committee on Invalid Pensions.

Also, memoranda in re Charles N. Bacon, Company C, Tenth Michigan Volunteer Cavalry; to the Committee on Invalid Pensions.

By Mr. WEBB: Petitions of sundry citizens of Morganton, N. C., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of sundry citizens of Crouse, N. C., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. WILSON of New York: Resolution of Workmen's Sick and Death Benefit Fund of the United States, asking for investigation of the McNamara matter; to the Committee on the Judiciary.

SENATE.

MONDAY, June 26, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of the proceedings of Friday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts approved March 4, 1911; asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. FITZGERALD, Mr. BURLISON, and Mr. CANNON managers at the conference on the part of the House.

The message also announced that the House had passed resolutions commemorative of the life and public services of Hon. JOHN W. DANIEL, late a Senator from the State of Virginia.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8649) to authorize the extension and widening of Colorado Avenue NW., from Longfellow Street to Sixteenth Street, and of Kennedy Street NW. through lot No. 800, square No. 2718, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted at a mass meeting of citizens of the West Side of the city of Chicago, Ill., remonstrating against the action of the Senate in ordering at public expense another so-called investigation into the question of the validity of WILLIAM LORIMER as a Senator from the State of Illinois, which were referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Wayne County, Pa., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

He also presented resolutions adopted by the council of the Protestant Episcopal Church, diocese of Kentucky, favoring the adoption of international arbitration and universal peace, which were referred to the Committee on Foreign Relations.

Mr. CULLOM presented a petition of the National Association of Automobile Manufacturers (Inc.), praying for the adoption of an amendment to the so-called corporation tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Norwood, Ohio, and a petition of the executive committee of the California State Sunday School Association, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of the Trades and Labor Assembly of Grand Forks, N. Dak.; of the Central Federation of Labor of Troy, N. Y.; of the Quartet Club Arion of Sayreville, and of sundry citizens of Sayreville, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented resolutions adopted at the annual session of the Yearly Meeting of Friends for New England, held at Providence, R. I., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Grange No. 278, Patrons of Husbandry, of Greenville, N. H., and a memorial of

Harmony Grange, No. 99, Patrons of Husbandry, of Sanborn-ton, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

Mr. BRISTOW presented a memorial of Soldier Valley Grange, No. 1471, Patrons of Husbandry, of Silverlake, Kans., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Bird City and Benkleman, in the State of Nebraska, remonstrating against the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

Mr. McLEAN presented memorials of Local Division No. 2, of Meriden; William A. Harty Branch, of New Britain; First Division, of Norwich; and of Local Division No. 1, of South Manchester, all of the Ancient Order of Hibernians, in the State of Connecticut, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Business Men's Association (Inc.) of New London, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented memorials of Higganum Grange; Farmington Grange; Harmony Grange, No. 92; Plymouth Grange, No. 72; Webutuck Grange, No. 86; Tunxis Grange, No. 13; and Danbury Grange, No. 156, all of the Patrons of Husbandry, in the State of Connecticut, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Business Men's Associations of Ansonia, Derby, Shelton, and Seymour; of the Pope Manufacturing Co., of Hartford; of the Columbia Motor Car Co., of Hartford; of the Locomobile Co. of America, of Bridgeport, all in the State of Connecticut, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which were referred to the Committee on Finance.

Mr. BURNHAM presented a memorial of Local Grange No. 278, Patrons of Husbandry, of Greenville, N. H., and a memorial of Harmony Grange, No. 99, Patrons of Husbandry, of Sanborn-ton, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented resolutions adopted at the Yearly Meeting of the Society of Friends for New England, held at Providence, R. I., favoring the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. SHIVELY presented resolutions adopted by Group 5, Indiana Bankers' Association, indorsing the currency plan as proposed by the National Monetary Commission, which were referred to the Committee on Finance.

Mr. O'GORMAN presented a petition of the National Automobile Association (Inc.), praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Poughkeepsie, N. Y., praying for the ratification of a treaty of arbitration between the United States, Great Britain, and France, which was referred to the Committee on Foreign Relations.

He also presented a petition of the North Side Board of Trade of New York City, N. Y., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Pittstown Grange, No. 1211, Patrons of Husbandry, of New York, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the New Orleans Progressive Union, praying for the adoption of the recommendations of the Department of State in regard to financial transactions with the Republics of Central America, which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of New York, Brooklyn, and Kirkville, all in the State of New York, remon-

strating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. OLIVER presented a memorial of sundry citizens of Northumberland County, Pa., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Scranton, Pa., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of sundry druggists of Allentown, Pa., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Erie, Pa., and a petition of the Business Men's Exchange, of Erie, Pa., praying for the appointment of a commission by the United States and Canada for the adoption of a definite plan for the preservation and control of the waters of the Great Lakes, which were referred to the Committee on Foreign Relations.

He also presented a petition of Washington Camp, No. 55, Patriotic Order Sons of America, of Philadelphia, Pa., and a petition of Washington Camp, No. 355, Patriotic Order Sons of America, of Kulpsville, Pa., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. GRONNA presented a memorial of the congregation of the Seventh-day Adventist Church, of Rosevelt, N. Dak., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. NELSON presented a memorial of the E. A. Knowlton Co., of Rochester, Minn., remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. WETMORE presented a memorial of 123 citizens of Providence, R. I., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented resolutions adopted at the annual session of the Yearly Meeting of Friends for New England, held at Providence, R. I., favoring the ratification of a treaty of arbitration between the United States, Great Britain and France, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Rhode Island Business Men's Association, praying that an appropriation be made for the improvement of Providence River and Harbor to a depth of 30 feet, which was referred to the Committee on Commerce.

Mr. BRANDEGEE presented a petition of the congregation of the Second Baptist Church of Bridgeport, Conn., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of directors of the Business Men's Association of Hartford, Conn., praying for the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Norwich, Conn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Association of Automobile Manufacturers, praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Farmington, Conn., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

Mr. PERKINS presented a petition of the Floriston Pulp & Paper Co., of California, praying for the passage of the so-called Root amendment to the reciprocity bill, which was ordered to lie on the table.

He also presented a memorial of Progressive Grange, No. 308, Patrons of Husbandry, of Healdsburg, Cal., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Sacramento and Oakland, in the State of California, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

Mr. MARTIN of Virginia presented affidavits in support of the bill (S. 2635) for the relief of the trustees of Carmel Baptist Church, Caroline County, Va., which were referred to the Committee on Claims.

Mr. BRIGGS presented a memorial of the Pharmaceutical Association of New Jersey, remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the adoption of an amendment to the so-called corporation-tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented the memorial of George W. Spies, of Pleasantville, N. J., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

He also presented a petition of the congregation of Unity Church of Montclair, N. J., and a petition of the Stanley Congregational Church and Society of Chatham, N. J., praying for the ratification of the proposed arbitration treaty between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Local Division No. 16, Ancient Order of Hibernians, of Jersey City; of the Quartet Club of Arion, of Sayreville; and of sundry citizens of Jersey City and Sayreville, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Board of Trade of Elizabeth, of the Board of Trade of Newark, and of the Chamber of Commerce of Plainfield, all in the State of New Jersey, praying for the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented memorials of Local Granges, Patrons of Husbandry, of Pemberton, Kingwood, and Cold Springs, all in the State of New Jersey, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were ordered to lie on the table.

He also presented a memorial of Typographical Union No. 103, of Newark, N. J., and a memorial of Local Branch, National Brotherhood of Operative Potters, and the Metal Polishers, Buffers, Platers, Brass Molders, Brass and Silver Workers' Union of North America, of Trenton, N. J., remonstrating against the alleged abduction of John J. McNamara from Indianapolis, Ind., which were referred to the Committee on the Judiciary.

Mr. ROOT presented a memorial of the Retail Merchants' Association of Buffalo, N. Y., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. BOURNE presented a memorial of Blue Mountain Grange, No. 345, Patrons of Husbandry, of Union County, Oreg., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was ordered to lie on the table.

REPORTS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. CURTIS, from the Committee on the District of Columbia, to which was referred the bill (S. 1069) to authorize the widening and extension of Minnesota Avenue from Pennsylvania Avenue SE. to its present terminus near Eastern Avenue, and for other purposes, reported it with amendments and submitted a report (No. 88) thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to which was referred the bill (S. 1898) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes, reported it without amendment and submitted a report (No. 89) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Maine:
A bill (S. 2874) for the relief of Lincoln W. Tibbetts (with accompanying paper); to the Committee on Claims.

A bill (S. 2875) granting an increase of pension to Hiram N. Brann (with accompanying papers); and

A bill (S. 2876) granting an increase of pension to Eugene Sullivan (with accompanying papers); to the Committee on Pensions.

By Mr. BACON:

A bill (S. 2877) amending section 67 of the act approved March 3, 1911, to codify, revise, and amend the laws relating to the judiciary; to the Committee on the Judiciary.

By Mr. SHIVELY:

A bill (S. 2878) to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River, in the State of Indiana (with accompanying paper); to the Committee on Commerce.

A bill (S. 2879) granting an increase of pension to Francis M. Dean (with accompanying paper); and

A bill (S. 2880) granting an increase of pension to David Appas; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 2881) to authorize the widening of Wisconsin Avenue NW. (with accompanying papers); to the Committee on the District of Columbia.

By Mr. BRISTOW:

A bill (S. 2882) granting an increase of pension to Tillman H. Elrod; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 2883) to correct the military record of David C. Stewart; to the Committee on Military Affairs.

A bill (S. 2884) granting an increase of pension to D. D. Barclay (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 2885) for the relief of the trustees of Lebanon Evangelical Lutheran Church, of Shenandoah County, Va.; to the Committee on Claims.

By Mr. JONES:

A bill (S. 2886) granting a pension to Sarah E. Muzy; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2887) granting an increase of pension to John S. Rhoads; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2888) for the relief of Mary E. Lovell (with accompanying papers); to the Committee on Claims.

By Mr. BOURNE:

A bill (S. 2889) to authorize the use of money orders as temporary postal-savings certificates; to the Committee on Post Offices and Post Roads.

By Mr. OWEN:

A bill (S. 2890) for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

A bill (S. 2891) providing for the erection of a public building at Muskogee, Okla.; and

A bill (S. 2892) providing for the erection of a public building at Tulsa, Okla.; to the Committee on Public Buildings and Grounds.

RECIPROCITY WITH CANADA.

Mr. BRISTOW submitted an amendment intended to be proposed by him to the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, which was ordered to lie on the table and be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. OWEN submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 12109), which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

ASSISTANT MESSENGER TO COMMITTEE ON TERRITORIES.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 80), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories is hereby authorized to employ an assistant messenger at a salary of \$1,000 per annum to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN THE POST OFFICE DEPARTMENT.

Mr. BRISTOW submitted the following resolution (S. Res. 81), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the Post Office Department be, and it is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at a salary of \$1,440 per annum.

ASSISTANT CLERK TO COMMITTEE ON EXPENDITURES IN THE WAR DEPARTMENT.

Mr. WORKS submitted the following resolution (S. Res. 82), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the War Department be, and it is hereby, authorized to employ an assistant clerk at a salary of \$1,440 per annum.

RECIPROCITY WITH CANADA.

The VICE PRESIDENT. The morning business is closed.

Mr. PENROSE. I move that the Senate proceed to the consideration of the reciprocity bill, House bill 4412.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment of the committee.

Mr. CUMMINS. Mr. President, I give notice that on Wednesday, June 28, immediately following the routine morning business, I will address the Senate upon the pending bill, with special reference to the amendments I have proposed to it.

Mr. THORNTON. Mr. President, I understand that the subject for discussion before the Senate to-day is what is known as the Root amendment to the Canadian agreement. I think it is generally known by this body that I am opposed to the Canadian treaty or agreement in its present form. On the very day after the agreement was sent to the Senate by the President of the United States I wrote to Louisiana, stating that in my opinion some provisions of the agreement operated as an unjust discrimination against the agricultural interests of some sections of this country, and for that reason, if for no other, I could not support it in the shape in which it was presented. Before I went home after the adjournment of the Congress my position on that subject was well known to several of my brother Democratic Senators and possibly to one or two Republican Senators.

As soon as I reached New Orleans in March after the adjournment of Congress I was interviewed on the subject by a reporter of one of the leading New Orleans daily papers, and I then stated my opposition to the agreement and gave the reasons why I could not support it, adding, however, that if it was amended so as to do away with the injustice that I thought would be done by its provisions to the agriculturists of the country, I should very willingly support it. A few days after that I was interviewed in north Louisiana by a reporter of one of the leading papers in that section of the State, and I then reiterated the views I had already expressed, and added that as these were my convictions no amount of criticism could swerve me from carrying them out. So my position on the subject has been for several months thoroughly understood by the people of Louisiana.

Now, as to the pending Root amendment, I must confess that I do not very clearly understand that proposition, except that neither its adoption nor its rejection will have any effect on the reciprocity bill so far as relates to its being accepted by the Dominion of Canada. There seems to be a very serious disagreement among lawyers in this body as to what its effect might be, but out of the somewhat foggy atmosphere that pervades the subject to me at least I do seem to see that the measure is calculated on one point, not a very important point either, in my opinion, to correct an inequality in the bill whereby the citizens of the United States would be put on a fairer plane with the citizens of the Dominion of Canada than they are without it; and believing as I do that through the provisions of this treaty the Dominion of Canada is receiving far more advantage than the United States will be receiving from it, and as I do not wish to give the Dominion of Canada any assistance in the way of getting any greater advantages from the treaty over the United States than it is already receiving, I shall vote in favor of the Root amendment, unless my views are changed by the further discussion that will happen to-day. In voting that way I do it with a perfect knowledge that the amendment is doomed to defeat, but the knowledge of the success or defeat of a pending measure before this body can not of course have the slightest influence on me in the matter of my vote upon it.

Mr. CLARK of Wyoming. Mr. President, I for one shall vote for the Root amendment, not for the reason urged by some of the Members of the Senate that they desire to make the bill as bad as possible, but because I am opposed to the bill, and if it has to become a law I desire to make it as good as possible.

I have yet to hear one reason urged upon this floor why the Root amendment should not be adopted. The only statement I have heard either in public or private, the only reason urged, is that the bill must be passed without amendment as it came

from the House. That is not a conclusive argument to my mind as a Republican. That a Republican Senate must take a bill prepared and passed by a Democratic House in the face of the opposition of a majority of the Republicans in the House, and must pass it without amendment, I say is not a conclusive or even a persuasive argument to my mind.

When the Senate shall so far forget its duty to the public, when the Senate shall so far lose its respect for itself as to say that it will not amend a bill for good when it comes before this body, then the Senate is simply to become an echo and to lack power in the affairs of the Government. That, for one, I am unwilling to do. There are Senators upon this floor who believe that the Root amendment is a proper amendment and yet hesitate to place it upon this bill. Their reason I can not imagine.

I am for the Root amendment, because, to my mind, it affords the only loophole of excuse for the passage of this bill. It at least assumes some degree of reciprocity. I am for the Root amendment because it gives some relief from section 2 of the bill, which, as presented, flies directly in the face of every Republican utterance that has been made by the Republican Party in reference to the tariff. Section 2 provides for the free admission of paper and wood pulp. We are urged that we must not meddle with the wool schedule, that we must not meddle with the steel schedule, that we must not touch the sugar schedule, because the Republicans, by solemn act, have provided for a Tariff Board that will look into the wisdom of these various schedules as they now are, and shall set forth the facts that they find in connection with the industry, and that no legislation on these subjects should be had until such board has investigated and reported; and the last utterance of the Republican Party, written into the platform at the suggestion, or at least with the active and earnest cooperation of the Senator from Massachusetts in the subcommittee which prepared that platform in Chicago, was that the Republican Party believed in the protective tariff; that they believed the measure of protection should be the difference between the cost of production at home and abroad, with a reasonable profit to the manufacturer. The only schedule in the tariff upon which that Tariff Board has made a report, the only light that they have given us upon this whole tariff question, has been in reference to the schedule that is mentioned in section 2 of this bill.

What is it that is proposed by some of the so-called regular Republicans in this Chamber? To fly in the face of the report of that board. That board reports the difference between the cost of production in Canada and the cost of production in the United States of print paper to be something over \$5 a ton. Section 2—I do not wonder it is in the bill, because it comes from a body that does not believe in a protective tariff, that does not believe that it is for the best interests of the country so to adjust ourselves as to have any protection in our tariff bills—section 2 flies in the face of that well-considered report; flies in the face of the action of the Republican Congress in giving credit to that board, and absolutely flies in the face of the last definite utterance on the tariff by the Republican platform of two years ago.

I am in favor of the Root amendment as a Republican, because it takes a little of the sting out of section 2. The Root amendment does provide that when Canadian print paper shall come into this country free, reciprocally our paper shall go into Canada free.

Mr. McCUMBER. Mr. President, would the Senator mind a little inquiry right there?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from North Dakota?

Mr. CLARK of Wyoming. I yield.

Mr. McCUMBER. Does the Senator know of anything produced in the United States which, after this bill shall become a law, will, under the rules of trade, go into Canada free?

Mr. CLARK of Wyoming. I know of nothing.

Mr. McCUMBER. Well, then, if the Senator—

Mr. CLARK of Wyoming. Of course, the opportunity is there if the product is there.

Mr. McCUMBER. The opportunity is there, but the conditions of trade are such that none of our products would go into Canada free.

Mr. CLARK of Wyoming. No.

Mr. McCUMBER. Well, can not the Senator see, then, that by adopting this amendment he would spoil the present beautiful symmetry of the compact?

Mr. CLARK of Wyoming. I do not want to spoil it, but I want to mar it a bit.

Mr. CLAPP. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. I do.

Mr. CLAPP. Would it mar it?

Mr. CLARK of Wyoming. Oh, I think so. It is now distinctly Democratic. I want to put a little Republicanism into it.

Mr. CLAPP. Has the Senator from Wyoming investigated so as to ascertain how much paper, pulp, and wood combined were shipped into Canada from this country last year?

Mr. CLARK of Wyoming. No; I have not investigated that. I have not been interested in it very much, because I do not believe it would be enough to found an argument on.

Mr. CLAPP. That is just the point with reference to this amendment. While it proposes to give reciprocity, it is dealing with a subject that the veriest novice knows, because of economic conditions, we never can get reciprocity in.

Mr. CLARK of Wyoming. I am not a novice, then, because I do not know it.

Mr. CLAPP. But the Senator just admitted practically that he had not sufficient interest as to our capacity to ship these products into Canada to even have investigated it. Speaking now from memory, we got \$300,000 worth of those articles into their market, against \$4,000,000 they got into ours.

Mr. CLARK of Wyoming. The Senator is substantially correct. I should not be surprised if the discrepancy were greater, but I am not making this argument, as I stated before, on the ground that we are going to benefit very much by the Root amendment. I am making it on the ground that I do not want to entirely throw overboard every Republican doctrine contained in the tariff proposition, and this does give a loophole, so that if our industry should increase, if the market should be afforded, and if Canada should become a depot for the entrance of our paper, so that we will have the opportunity, we can take advantage of it and get in. Without the Root amendment we can not.

Mr. OVERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. CLARK of Wyoming. Certainly.

Mr. OVERMAN. If I understood the Senator correctly, he said the bill is now Democratic?

Mr. CLARK of Wyoming. Absolutely.

Mr. OVERMAN. Does the Senator think, if we put the Root amendment on, it will be un-Democratic?

Mr. CLARK of Wyoming. I think it will have a little Republican leaven in it. Does the Senator from North Carolina believe that to put the Root amendment on would keep it Democratic?

Mr. OVERMAN. Well, we will discuss that.

Mr. CLARK of Wyoming. The Senator evades that question.

Mr. President, so far as section 2 is concerned, I think everyone agrees that it is not a part of the reciprocal arrangement, so called, between Canada and this country; it is not a part of the agreement that was entered into by the ministers of Canada and the representatives of the United States.

I had formed an idea of exactly what this section meant with the Root amendment, but I was somewhat shaken in my individual conclusions by the remarks of the Senator from Iowa [Mr. CUMMINS] in this Chamber two or three days ago. Whatever we may think of it, however, we must conclude, and it is acknowledged, that section 2 of this bill does not carry out the agreement between the two countries; it is not the compact that was sent to the House of Representatives.

Mr. BROWN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. CLARK of Wyoming. Yes.

Mr. BROWN. The Senator observes that he was somewhat shaken in his convictions by the argument of the Senator from Iowa [Mr. CUMMINS]. He immediately follows that with the statement that everybody concedes that the Root amendment is in conformity with the agreement.

Mr. CLARK of Wyoming. Oh, no; I did not say that.

Mr. BROWN. I am glad if I misunderstood the Senator.

Mr. CLARK of Wyoming. I did not say that. I said that I was somewhat shaken in regard to it.

Mr. BROWN. The Senator from Wyoming argued emphatically that it violated the agreement.

Mr. CLARK of Wyoming. Oh, no. I did the Senator from Iowa the credit to say that he had shaken me somewhat in my former belief; but I went on to say that section 2, as it comes from the House, is not in any event the agreement that was entered into between this country and Canada.

Mr. BROWN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Yes.

Mr. BROWN. If it was in conformity with the agreement, then the Senator would be heartily in favor of the bill?

Mr. CLARK of Wyoming. Not at all. I am against it from soda to hoc, right straight through the whole bill. I do not want my position misunderstood. But if we have got to have this bill enacted into law, I want to make it as good as I can.

Mr. BROWN. If it is in harmony with the original agreement, the Senator is for it; and he is against it if it is contrary to the agreement. Is that the position the Senator takes?

Mr. CLARK of Wyoming. Does not the Senator yet understand my position?

Mr. BROWN. I am trying to understand the Senator.

Mr. CLARK of Wyoming. I am against the reciprocity agreement—

Mr. BROWN. The Root amendment is in conflict with the reciprocity agreement—

Mr. CLARK of Wyoming. Will the Senator wait? I am against the reciprocity agreement; but if the Republicans in this Chamber are going to make it so that I have got to take it, I want to make it as good as I can; and I believe the Root amendment betters it. That is my position.

Mr. BROWN. Will the Senator yield again?

The VICE PRESIDENT. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Oh, yes.

Mr. BROWN. I do not care to interrupt the Senator, but I should like to get his viewpoint, if I can. The Senator now, as I understand, is in favor of the Root amendment because it puts Republicanism into the pact?

Mr. CLARK of Wyoming. Because it helps the bill.

Mr. BROWN. Now, the Senator is aware of the fact, is he not, that the author of the amendment himself stated on the floor here that, with his amendment adopted, there would be no change in the practical effect and result of existing law so far as free print paper is concerned?

Mr. CLARK of Wyoming. I am aware of the fact that the Senator from New York looks on his child with not quite so much love as I look at it.

Mr. BROWN. I am not speaking of love; I am speaking of the effect of his own amendment, which the Senator from New York says will leave the law as it is so far as the real result is concerned.

Mr. CLARK of Wyoming. Is the Senator speaking accurately? Does he mean the law or the bill?

Mr. BROWN. The law—that it will leave the law as it is; that the result will be the same as under existing law—that is, we should still have the present duties on print paper and spruce wood with the Root amendment adopted, and there would be no reduction either on this side of the boundary line or the other, because the condition the Root amendment puts into the law leaves the practical result just as it is to-day.

Mr. CLARK of Wyoming. I do not agree with that at all.

Mr. BROWN. Well, the author of the amendment does.

Mr. CLARK of Wyoming. The author of the amendment, perhaps, does not view his child with the same eyes that I do. But, Mr. President, I have seen no real demand, or any demand well-seated in reason, for the enactment of any part of this bill. I see still less demand for the enactment of section 2, because, as I have said before, nobody contends for a moment that section 2 is a reciprocal provision.

There is just one interest that asks for section 2, and that is the interest that has assaulted in favor of free paper every Republican tariff that has been formulated in the Chambers of Congress for the last 15 years. That is the interest that appeared before the Republican national convention in Chicago and the Democratic national convention in Denver; that is the interest that in season and out of season, contrary to all Republican doctrine, contrary to every spirit of fairness in our industrial affairs, has demanded free print paper.

It was urged in the hearings, it has even been spoken in public utterances by those high in authority, that the crusade amongst the farmers against this pact had its birthplace amongst a band of promoters in New York; that, in fact, the farmers are not conscious as to whether or not they are interested vitally in this matter; that they do not know what they are talking about; and that all their opposition has been caused, as I have said, by a band of promoters in New York. That is the medicine that has been sedulously sent out by those in favor of free print paper; but the same hearings developed the fact that substantially all the crusade in favor of the reciprocity agreement has been conducted by the great users of print paper in metropolitan centers, which have been groomed and prepared for the race by the American Publishers' Association. I say that without fear of contradiction.

The American Publishers' Association, the membership of which is to be saved \$3,000,000, according to their own figures, if this bill goes through, do not care what becomes of this reciprocity agreement so long as section 2 remains in it inviolate. When you talk of a hothouse propaganda, here we have one. By their own admission before the committee, a man is paid \$15,000 a year for this very purpose, and a telegram was sent out to the newspapers by the president of that association, which virtually controls the daily news of this country, "Please see to it that your correspondents in Washington are instructed to treat favorably the reciprocity measure, because it provides for free print paper." That same bureau has been sending out articles addressed to the farmers, articles addressed to each State, playing upon their selfish interests. These things are all published in the hearings. So that if I am opposed to the bill as a whole, I am still more opposed to section 2, unless it be amended in the reciprocal method for which the Root amendment provides.

I am not going to discuss the reciprocity bill; but I want to make a few inquiries of my political colleagues upon this side of the Chamber. It is no surprise to me that the Democratic Party as a whole are in favor of this measure; it is no surprise that, with two of three notable exceptions, the vote will be practically unanimous upon the other side of the Chamber, as it was upon the Democratic side of the House of Representatives, and why? Because it is a thing that they have been hoping for; it is a thing that they believe in; it is a thing that they want to write upon the statute books of this Nation in conformity with their tariff policy for 50 years.

The Democratic Party in the Senate are absolutely consistent in their opposition, and they are the only ones that can claim any credit if good shall follow the enactment of this bill. The Republican Party is openly divided in this Chamber upon this proposition; and to my unutterable surprise I find those who through sunshine and in storm have advocated the Republican doctrine of protection, Senators from New England whose prosperity is built upon a protective tariff, are the first ones to desert the doctrine of protection in this bill. They were the first ones who taught the country that the tariff was not a local issue; they were the ones who appealed to the farmers of your State, sir [the Vice President in the chair], and to the farmers in other States to uphold the doctrine, because it was a great national blessing, the benefits of which directly or indirectly found their way into every household in the land; and year after year the farmers of the Northwest, of North Dakota and South Dakota and Minnesota and Iowa and other States have marched up with their Republican majorities—majorities founded and claimed almost substantially entirely upon the idea of a protective tariff and upon the idea that it was not a local issue.

When our Democratic friends upon the stump and elsewhere have gone before the people of the country and have said to the people of those States, "Republican protection is a fraud; it fattens the manufacturer; it fattens New England; but you are paying for it," men who in this Chamber and elsewhere have heretofore been the strongest supporters of protection are the first ones to strike a blow at the idea that a Republican protective tariff is uniform in its operation, and they say in this bill, "We will make the tariff a local issue." They take up the discarded theory, even, of the Democratic Party in Hancock's time, that the tariff is a local issue, and they come into this Chamber and say, "We will make it a local issue; we will strip from the farmers of the Central and Northwestern States all benefit they can possibly derive in their vocation from the operation of the tariff. We will confine it to the manufacturer."

I want to ask the Senator from Massachusetts—I want to ask other New England Senators in this body who are going to vote for this pact—whether they vote for it because they believe that Republican doctrine as it has been taught by the Republican Party all these years has been a delusion and a snare? What answer are you going to make to your constituents when the time shall come and they look back upon the vote in this Chamber on this bill and say to you, "By that vote you laid the ax to the root of the tree of our tariff prosperity?" Because, just as sure as the sun shines, this free-trade doctrine in the Republican Party will not stop now. I view this with the utmost alarm. I do not believe in reprisals; I do not believe in revenge; and it will take even more than this legislation to make me waver in my political faith in Republican protection. But, just as sure as the sun shines, the manufacturers of New England can not hope to escape the results of thus making the tariff a local issue.

It was said by the Senator from New York [Mr. Root] in this Chamber the other day that while in his belief the farmers of this country had not as yet received much benefit from the

protective tariff, in his opinion, as the point of our national consumption approached the point of production the farmer would receive some benefit.

We know from what we have heard in this Chamber, from what we have heard on this floor, that that point is now reached; and you, my Republican friends of New England, you whom we of the West have stood for through thick and thin during these 30 or 40 years, you say to us, you say to the millions of farmers, "Just as soon as we see that protection is protecting you, that instant we will wipe it from the statute books, but we will leave untouched the protection which we have enjoyed through your assistance and favor for 10 these many years."

Mr. DILLINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Vermont?

Mr. CLARK of Wyoming. Yes.

Mr. DILLINGHAM. I hope the Senator from Wyoming does not include all the New England Senators.

Mr. CLARK of Wyoming. I was especially careful not to. I said, or intended to say, those of the New England Senators who were going to vote for this pact.

I am not unconscious of the fact that the West owes largely to the manufacturing States; I am not unconscious of the fact that the manufacturing States of New England have stood through evil report and good report for the Republican protective tariff; and that is what amazes me all the more that in this time when by the mutations of human politics the opposing party has already acquired control of the other portion of Congress, when the assaults are thickest and the hardest upon this doctrine of protection, when the enemy is in force, when they are equipped, when they are ready and eager for the fray, when they have already captured the outworks and are now training their guns against the citadel itself, that the first men to desert the cause are the men who for years and years have stood like adamant against the heresy of free trade; and free trade is no longer something that can be laughed at.

In times past when we have made our campaigns we have been met by the opposition saying, "the tariff is no longer an issue. No one is in favor of free trade." And yet upon this floor, within this debate, we have three distinguished Senators on the Democratic side rising and saying "we are against protection in any form or in any phase. We do not want even the incidental protection, and we want the tariff laid so that not only will it not be a protective tariff, but we want it laid without even incidental protection entering into it." If that is not free trade, then free trade has never had utterance in the political history of this Nation.

Mr. CLAPP. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. Certainly.

Mr. CLAPP. The Senator from Wyoming has stated that this Canadian tariff bill was in harmony with the dreams and hopes of the Democratic Party for years. I believe in being fair. There are Democrats who are in favor, perhaps, of this kind of a tariff bill. But in my reading of Democratic utterances upon the tariff—and I know it is negated by the positive declarations of some members of that party in the Senate—

Mr. CLARK of Wyoming. They are the ones to whom I referred in my exceptions.

Mr. CLAPP. So it is hardly fair to say that a measure that had its origin in the interest of great combinations, that ignores the producer and consumer and simply strengthens the hands of recognized trusts—I hardly think it is fair to say—is in harmony with Democratic purposes.

Mr. CLARK of Wyoming. I want to be perfectly fair to the Democratic Party, but I want to put it so that they will understand that I am not flirting with them. Mr. President, the only utterance I have heard in favor of this pact—I have heard none upon the Republican side—is from the Democratic side, that they are for this pact because it is "a step in the right direction."

Do not, my Republican friends, think for a moment that this crusade against our protective tariff is going to stop here. It is not going to stop until one of two things happens; either that the assailants of the policy are repulsed as field after field is fought—and this bill is the first skirmish—or until the very corner stone of the protective system is in ruins; and it is for the Republican Party in this Senate to say which shall be the result.

You, my Republican friends, the stalwarts, the standpatters, who believe in party discipline, who believe that the greatest good can only come by united action, you who believe that the

progressives have been wrong in their statements that they did not care to be bound by a conference or a caucus, you who believe that they have strayed far from the way—are you willing to go into a conference with the Republican Members of this Senate to-day and abide by the outspoken views of the majority of that conference upon this reciprocity pact? Are you? If you are, I for one am willing to abide by the result of such a conference. I for one am willing to abide by the regulars and insurgents together in this body as to what they shall say and as to what shall be the expression of the party in this Chamber upon this policy.

Aye, I will go further, my Republican friends, you with whom I have been associated for many years in this Chamber, we who have fought the battles together as best we could. I am willing that the regular Republicans in this Chamber shall settle by their unbiased and uninfluenced vote what shall be the policy of the party in this Chamber in regard to this pact. I ask any Republican Senator who is going to vote for it, I ask any Republican Senator, either insurgent or progressive or regular, wherein in any part of the history of our party, wherein in any utterance of those who blazed the way in the doctrines of our party, you will find any justification of any sort for the vote you propose to cast in favor of this bill?

It is one of the most singular political positions. Senators are going to vote—so I am told; I hope they will not—for this measure because they believe it will do no harm. I have yet to hear one Republican upon the floor of the Senate say that he believes it a good thing. I have yet to hear one Republican member of the Finance Committee, that reported it without recommendation, say that it is a good thing. Are you going to vote for it because it is for the general benefit of the country, thus putting behind some of your treasured political notions as to the tariff, sacrificing the politics of the present for the good of the future? I have yet to hear one Republican say so.

Mr. CLAPP. Mr. President—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLARK of Wyoming. Yes.

Mr. CLAPP. Did I understand the Senator from Wyoming to say that there were Republicans who were going to vote for it because they believed it was a good thing?

Mr. CLARK of Wyoming. Oh, no.

Mr. CLAPP. How?

Mr. CLARK of Wyoming. No; I did not say so. I assumed there are some.

Mr. CLAPP. I should like his photograph.

Mr. CLARK of Wyoming. I said I assumed there were some. And I asked, if they did vote for it, was it because they believed that it was a good thing for the general good of the country irrespective of our teachings upon the tariff?

Then, I ask any protective Republican in this Chamber, are you going to vote for it because you believe it is in consonance or sympathy or accord with the position of your party for 50 years upon the question of protection? No one of the regular Republicans will rise in his place and answer yes. Then, for God's sake, why are you going to vote for it? I have heard one reason, and one only. The reason is that it will not do any great harm. The only reason why a Republican who claims to have the fire on the altars of his patriotism and his party always burning can find for voting for this Democratic measure is that it will not do any particular harm.

I will tell you what harm it will do, my friends. You are turning the grindstone to sharpen the knife that will put the hide of protection on the fence all over this country. That is exactly the harm you are doing. You are opening the tent, and the camel's head will be in, and it will not be very long before the camel will be in and you will be out, my Republican friends.

I do not wonder that our Democratic friends are enthusiastically and almost unanimously in favor of this pact. What they have not been able to do for 50 years we Republicans are going to do for them here in 30 days. We are doing their work for them. We are wiping protection from the statute books. We are using the club that shall kill our protected interests. We are doing it ourselves, and it is no wonder they feel pleasant and are agreeable to joining in the operation.

But the political situation is extremely strange. Here we have a pact or an agreement, a trade agreement made between the United States and Canada, or between the representatives of those Governments. The trade agreement is sent to the House with the pretty distinct notion that the instructions that accompany it are that the agreement shall be passed without the crossing of a "t" or the dotting of an "i." It is called a reciprocal agreement.

Mr. NELSON. If that is true, section 2 ought to be eliminated from the bill entirely.

Mr. CLARK of Wyoming. I was just going to say that if those instructions had been followed or if that view had been followed, the bill would not be in its present form here. But instead of dotting the "i" over in the House, they blackened the eye by inserting this section 2. They amended the agreement; and now we are told by Republicans upon this floor, by regular Republicans upon this floor, that we must pass this bill without the crossing of a "t" or the dotting of an "i."

The bill as it came from the conference between the two countries—the bill agreed to by Secretary Knox and Minister Fielding? not at all, but the bill prepared and passed by an overwhelming majority of the Democratic House and against the majority of the Republicans voting thereon—we are told we must pass, not the Canadian agreement, but the House bill without an amendment. And why without amendment? Under what code of ethics? Under what code of political responsibility are we as Senators of the United States acting? We might as well abolish ourselves. We might as well go home. We do not even need to send a postal card to represent us if we are not to act upon our individual and party judgment.

Mr. President, I had no idea of taking any of the time of the Senate. I apologize to the Senate. But I wanted my position plainly understood, and I want the regular Republicans in this Senate to understand exactly the bridge which they have constructed to pass over from Republican protective tariff to the Democratic tariff plan. I want them to understand that they are laying open the whole system of a protective tariff.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER (Mr. HAYBURN in the chair). Does the Senator from Wyoming yield to the Senator from California?

Mr. CLARK of Wyoming. With the greatest pleasure.

Mr. WORKS. In view of what the Senator has said, I should like to ask him whether he believes that the action of any Member of this body should be governed or controlled by the action of the caucus of his party or any part of it?

Mr. CLARK of Wyoming. I surely believe in party action and the rule of majorities.

Mr. WORKS. You believe in the caucus, and that a Member of this body should be bound—

Mr. CLARK of Wyoming. I do not believe in a caucus of the Senate, because we have never had a caucus of the Senate. The caucus is unknown in the Senate procedure. That is, on the Republican side. I am not speaking of the Democratic side.

Mr. WORKS. Then you believe we should resort to the caucus in order to bind Members to vote for a measure that is viewed with favor by a majority.

Mr. CLARK of Wyoming. The Senator puts a conclusion in my mouth which I have studiously denied. There has never been such a thing as a caucus upon the Republican side of this Chamber, within my recollection, in 16 years. There are those here who have been here longer. The so-called Republican caucus is a Republican conference, and the purpose of that conference is to talk over, to confer about, to consider matters that may be of party importance; and in a majority of cases—in nearly every case within my recollection—the majority of the conference has determined the action of the party, although the most eminent Senators who were ever on this side of the Chamber—notably the Senator from Massachusetts, Mr. Hoar, and the Senator from Connecticut, Mr. Platt—reiterated the doctrine I reiterate now, that while in union there is strength, and while it is desirable to get, if possible, the unanimous agreement of the party, yet no man's individual conscience can be bound by the action of any number of men.

Mr. WORKS. I am glad to hear the Senator say that.

Mr. CLARK of Wyoming. But—

Mr. WORKS. I should like to ask the Senator, if he will allow me—

Mr. CLARK of Wyoming. Yes.

Mr. WORKS. Whether he believes that the action of any Member of this body should be governed or controlled by the wishes or desires of another department of the Government?

Mr. CLARK of Wyoming. I should like to know before I answer that question whether the Senator is going to ask me any more or not.

Mr. CLAPP. I am willing to take the burden off the shoulders of the Senator from Wyoming.

The PRESIDING OFFICER. Does the Senator from Wyoming yield?

Mr. CLARK of Wyoming. In answer to the inquiry of the Senator from California, I will state that my idea is this: I can see no reason on earth why the various departments of the Government may not act with the utmost harmony upon public questions if they are of the same political party; but I believe

upon any measure that shall be pending before Congress, it is the plain duty of either House to act irrespective of what may be urged, except in the way of legitimate argument, by any other department of the Government.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield further to the Senator from New Hampshire?

Mr. CLARK of Wyoming. Yes.

Mr. WORKS. Does the Senator from Wyoming regard this as a political measure?

Mr. CLARK of Wyoming. I do. It is a Democratic measure.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New Hampshire?

Mr. CLARK of Wyoming. With pleasure.

Mr. GALLINGER. I was interested in what the Senator from Wyoming said in regard to party caucuses, or conferences, in the Senate. The Senator said that during his 16 years of service he had not understood that any meeting of Republican Senators could properly be called a caucus, but, rather, a conference. That is true. I have had longer service than the Senator here, and that has been the view that always has been taken. Yet it has ordinarily been understood that, unless there were some overwhelming reasons to the contrary, the will of the majority of Republicans in conference would be accepted as the will of the party.

Mr. CLARK of Wyoming. There is not any question about that.

Mr. GALLINGER. The Senator from California—

Mr. STONE. Mr. President, this is a matter we are very much interested in on this side. We would like to have the Senator speak louder.

The PRESIDING OFFICER. The Senator from Wyoming has not yielded, except to the Senator from New Hampshire.

Mr. STONE. It is a matter of order I ask.

The PRESIDING OFFICER. The Senator must first receive the consent of the Chair to interrupt the Senator.

Mr. STONE. I have asked consent. I have addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has yielded to the Senator from New Hampshire. Until that Senator indicates his willingness to yield no other Senator will be recognized.

Mr. STONE. The Chair is right. I make no complaint. I simply wanted the Senator to talk loud enough to be heard.

Mr. BACON. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator from Georgia will state his question of order.

Mr. BACON. I am not willing to concede what the Senator from Missouri says. When a Senator is unable to hear it is not a question of the consent of the occupant of the floor, but a question going to a point of order, which is a matter to be addressed to the Chair. When a Senator says he can not hear it is a point of order, and it does not depend upon the consent of the Senator who is holding the floor.

The PRESIDING OFFICER. The Chair did not understand the Senator from Missouri to address the Chair when he rose, but he addressed his remarks to either the Senator from Wyoming or the Senator from New Hampshire. The Chair indicated that he must first receive the consent of the Chair before interrupting the Senator.

Mr. BACON. That is exactly the point of order I made, that when that is the purpose a Senator does not have to get consent of the Senator on the floor, but it is a matter for the Chair.

The PRESIDING OFFICER. The Chair has disposed of it.

Mr. GALLINGER. I had supposed that my fault ordinarily has been that I talk too loud rather than too low. I will endeavor so to speak that the Senator from Missouri will understand what I say, whether it is important or unimportant.

I was about to suggest, Mr. President, that the Senator from California raises the point that Republicans are not bound by the will of the majority, and we concede that regarding important questions as to our conferences in the Senate. That is true also in a broader sense, if Republicans feel at liberty to disregard the will of the majority. However, the Senator from California will recall the fact that, while I believe he was a minority candidate in the State of California, when it came to electing a Senator the Senator and his friends insisted that the legislature should vote for him and not some other man.

Mr. WORKS. On the contrary—

The PRESIDING OFFICER. The Senator must first address the Chair and obtain recognition.

Mr. WORKS. I did.

The PRESIDING OFFICER. The Senator will please wait for recognition. Does the Senator from New Hampshire yield to the Senator from California?

Mr. GALLINGER. I will yield to the Senator if I am permitted to do so.

Mr. WORKS. The Senator from New Hampshire is mistaken. I was not a minority candidate in California. On the contrary, I carried the Republican vote of the State by a plurality, and also the Democratic vote.

Mr. GALLINGER. Well, Mr. President, some of the papers of California have not stated the matter accurately if that be true. Certainly the Senator was not a majority candidate in the legislative districts of his State, and he insisted upon the legislature electing him because he received more votes than any other candidate. I have no disposition to argue the matter beyond the mere suggestion, if the Senator from Wyoming will permit me a moment further, that if we are to have a Republican Party in this country we can only have it by permitting the majority to control. Going from the State of California to the State of Oregon, we know that the Senator who was elected was a minority candidate, and yet he insisted that because he received more votes in the primaries than any other one candidate he was entitled to the support of the legislature, and he received it. In other words, a plurality candidate invoked the support of the legislature because he was a plurality candidate.

Mr. President, I think it would be better that we should come to a fairly clear understanding about this matter and conclude that if we are to exist as a party we can only do so by recognizing the will of the majority of the party as being something that at least is worthy of our consideration, and not assert, as has been asserted over and over again recently in this body, that we can do as we please; that we can recognize the majority will or not; that we can vote with one party or with another party as best suits our convenience and our purpose, and yet we are Republicans. I repudiate, Mr. President, any such position upon the part of any member of the Republican Party, if we are to have a Republican Party.

Mr. DIXON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. CLARK of Wyoming. Certainly.

Mr. DIXON. I have been deeply interested in the remarks of the Senator from Wyoming, and I have agreed with almost everything he has said.

Mr. BACON. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Georgia will state his point of order.

Mr. BACON. We can not hear the Senator from Montana on this side.

Mr. DIXON. I will try and speak loud enough so that the Senator from Georgia may hear what I have to say, for I think it may be of interest to him.

The Senator from Wyoming has just said that this Canadian reciprocity treaty, so called, was not a Republican measure.

Mr. CLARK of Wyoming. I said it was a Democratic measure.

Mr. DIXON. That is the way I understood it. The Senator from Wyoming also says that the majority of the Republicans in the House of Representatives voted against this so-called Canadian reciprocity bill.

Mr. CLARK of Wyoming. I so read the Record.

Mr. DIXON. I should like to inquire of the Senator from Wyoming whether it is not a matter of fact that a majority of the Republican Senators on this side of the Chamber are lined against the bill?

Mr. CLARK of Wyoming. I understand that is the truth.

Mr. DIXON. Then, in speaking of regular Republican Senators, would the Senator classify this minority of the Republican Senators who are in favor of the bill as regular Republicans when a majority of the Republican Senators are voting in opposition to it?

Mr. CLARK of Wyoming. All Republican Senators look alike to me, but they look better when they are voting Republican principles.

Mr. DIXON. I wholly agree with the Senator in that; but, applying this rule to this Democratic measure that this minority of Republicans are supporting, they certainly can not arrogate to themselves the title of regular Republicans.

Mr. CLARK of Wyoming. I do not think they are. I think they are trying to avoid all mention of regular Republicanism in connection with the bill.

Mr. DIXON. How would the Senator classify the Republican Finance Committee, a majority of whom, I understand, is for the bill? Are they regulars or insurgents?

Mr. CLARK of Wyoming. Being a member of the committee, my modesty makes me decline to classify them. Of course the Senator very well knows, because it has been stated on this floor over and over again, that a majority of the Republicans on the Finance Committee are against this bill.

Mr. DIXON. How would the Senator classify the chairman of the Finance Committee who reported the bill?

Mr. CLARK of Wyoming. He is beyond classification in all things.

Mr. DIXON. Is he a regular or an insurgent?

Mr. CLARK of Wyoming. He stands by himself.

Mr. DIXON. He is in a class by himself. I just wanted to add that the shoe seems to pinch the other side of the foot.

Mr. CLARK of Wyoming. Mr. President, having gone through the political catechism as to my individual views, I wish to sum up in substance, before the debate is over upon this bill, the reasons why I am opposed to the bill.

I am opposed to it because I believe from all the evidence I can gather that it works a distinct and a dreadful injury to a large class of the producers in the United States. I believe this from the evidence presented by the farmers of the Northwest, who came here in their own behalf, unbiased and unmoved by any appeal from the firm in New York, unbiased and unmoved by any appeal from the National Grange, because they do not belong to the National Grange, I understand; unbiased and unmoved by anything except a deep and strong conviction, made by years of study of their own condition, made by their knowledge as readers of the public prints of the conditions across the line, their knowledge of the possibilities of the unknown Canadian northwest, and their absolute knowledge of the limitations of their own country and with an intelligence that I do not believe has been equaled before any committee of the Senate in many years. They presented their reasons for being against this pact—that it would injuriously affect them in stock and store and happiness. I am against it because I believe that class of our citizens should and must receive consideration if the protective tariff system is to survive the assaults which will be made upon it in the next four years. I am against this pact because even its most strenuous adherents do not urge one single valid reason in its behalf.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. CLARK of Wyoming. With pleasure.

Mr. HITCHCOCK. I should like to inquire of the Senator from Wyoming whether he agrees with the admission made by the distinguished Senator from New York [Mr. ROOR] last Thursday that heretofore the duties imposed under a protective tariff on farming products had not benefited the farming class?

Mr. CLARK of Wyoming. As I understood the Senator from New York, he made no such statement.

Mr. HITCHCOCK. Will the Senator permit me to read what the Senator from New York said?

Mr. CLARK of Wyoming. Will the Senator permit me to state my understanding?

Mr. HITCHCOCK. Let me read from the RECORD. I have it here.

Mr. CLARK of Wyoming. Will the Senator permit me in my own time to state my understanding of what the Senator from New York said or, at least, as it made an impression upon my mind; not in these words, of course. He doubted very much whether the farmers had received very much benefit from the protective tariff, but probably—and I have stated this before—when the point of consumption and the point of production were brought nearer together the farmer might receive a protection. I think that is substantially what the Senator from New York said.

Mr. HITCHCOCK. The sentence—

The PRESIDING OFFICER. Does the Senator from Wyoming yield further to the Senator from Nebraska?

Mr. CLARK of Wyoming. Oh, yes; I will yield to the reading of the RECORD, although sometimes I do not like it.

Mr. HITCHCOCK. The distinguished Senator from New York used this language:

I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

That is the admission one of the great leaders of the Republican Party made on this floor last week.

Mr. CLARK of Wyoming. My memory is a little hazy about that. Will the Senator read a little further?

Mr. HITCHCOCK. That is a complete sentence by itself.

Mr. CLARK of Wyoming. Will the Senator read a little further?

Mr. HITCHCOCK. I have no objection to reading the whole paragraph if the Senator desires.

Mr. CLARK of Wyoming. I just wanted to see whether my recollection is correct or not.

Mr. HITCHCOCK. I am quoting here the admission made by the distinguished Senator from New York.

Mr. CLARK of Wyoming. I got an impression somewhere that the Senator had running through his mind the possibility of the point of production and the point of consumption meeting; and if he did not say it, I do not know where I got it.

Mr. HITCHCOCK. I am not disputing that statement, but I am asking whether the Senator from Wyoming agrees with the Senator from New York that in the past the farmer has been hoodwinked by the claim that he was receiving or has received any benefit from the protective tariff. That is a statement of fact and belief of the Senator from New York that in the past the farmer has received no benefit from this tariff upon the products of his farm.

Mr. CLARK of Wyoming. The Senator still has not read the part to which I referred.

Mr. HITCHCOCK. I have read sufficient to incorporate into the RECORD the admission by the Senator from New York.

Mr. CLARK of Wyoming. The Senator has read sufficient to incorporate into the RECORD a sentence and then declines to incorporate into the RECORD a following sentence that might, perhaps, explain it.

Mr. HITCHCOCK. I will leave it to the Senator from Wyoming and the Senator from New York to incorporate a qualifying sentence.

Mr. SMITH of South Carolina. Will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Carolina?

Mr. CLARK of Wyoming. The statement of the Senator from New York was substantially as I said, and I am surprised that the Senator from Nebraska should seek here to record a part of that thought and then decline to read into it the balance although he has it before him.

I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I should like to ask a question of the Senator from Wyoming. I will preface my question by making a statement.

I do not think that I ever heard a clearer or a more convincing presentation of the question of protection than that presented by the Senator from New York in his speech the other day. He almost persuaded me that there was a real genuine, patriotic, economic ground for the doctrine of protection as enunciated by him. His idea was, as I caught it, that protection was for the purpose of encouraging American enterprise and industry to such a point that it could equal in quality and in quantity such American production as would be to the benefit of all the American people as it grew and progressed and met their needs.

The Senator from Wyoming, as I understand him, is claiming that the converse of that is your protection doctrine; that as our production decreases and the American people are to suffer by lack of foodstuffs, protection must afford its benefits; that not in increasing and meeting the needs of the American people but in decreasing it shall enrich them at the expense of the American people.

Mr. CLARK of Wyoming. The Senator can not get me into any argument about the merits or demerits of protection or the various kinds of protection. If the Senator had been listening to my speech he would know it has been a speech made to the Republicans of the Senate, all of whom believe in the protective tariff policy, and it has not been directed to the Democrats.

I have congratulated the Democratic Party in this Chamber because of the opportunity of which they so skillfully availed themselves in the presentation of this bill. I congratulate the Democratic Party that that old dame is still able to flirt with the whole neighborhood, to make eyes at the insurgents on sugar and the wool schedule, to make eyes at some of the regulars on this reciprocity and get away with the whole business, as I am told you are going to do. But still I am not here to argue the protective tariff, but only to try and convince some of my Republican friends, at whose feet I have studied for years the theory of a protective tariff, that now, in the extremity of that doctrine, when every cannon of the adversaries is turned against the battlements, they should not desert and go with you. That is what I have been trying to get at.

Mr. SMITH of South Carolina. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Carolina?

Mr. SMITH of South Carolina. Just for a question.

Mr. CLARK of Wyoming. Yes.

Mr. SMITH of South Carolina. If the production of wheat in the Northwest—I will take that as an illustration—was so great that the surplus had to be disposed of and consumption and production had not reached almost the place where there was a sufficient amount for the American people, would the Senator believe that the passage or nonpassage of this reciprocity bill, in so far as it affects wheat, would have no effect upon the farmer? Suppose we were to make twice as much as the American people needed and the western farmer was making twice as much as the market would justify, or as would protect him in the market, does the Senator think it would be any benefit whatever to the farmer in the price he is to receive?

Mr. CLARK of Wyoming. Oh, it is of little concern what I think or may not think. I am not discussing the policy of protection. I am not discussing the question whether or not that policy protects the farmer. I am discussing nothing except the action of the Republican Party in regard to this fundamental policy and this fundamental political belief.

I am not going to be drawn into any argument on the protective tariff, because if I should talk, and the Senator from South Carolina should talk across this aisle from now until Congress adjourns, his idea would still be the same. My idea is, and has been for 50 years, that the Republican doctrine of protection is the saving grace of our industrial system. The Senator's thought probably is, as often expressed in the Democratic platform, that that policy is a delusion and a snare, if not worse. So we would not get together, and we would not get any nearer together. I am not addressing any argument to Democrats in favor of protection, and I am talking to no one on this occasion who favors the opposite doctrine, but I am trying to convince some of my Republican friends that they are here and now throwing overboard this doctrine, which has been the sheet anchor of our party, and the doctrine which we have always believed is the sheet anchor of prosperity in this country.

Mr. SMITH of South Carolina. It was not a question as to that, Mr. President, with all deference to the Senator, and with an acknowledgment of the courtesy he has shown me in allowing me to put this question to him; but I understood him to say that now, just as we had reached a point in our production where the farmer was likely to get a benefit from this protection, we were doing him an incalculable harm, throwing the door wide open, and denying him that which he was just now coming into.

Mr. CLARK of Wyoming. The Senator is partly right and partly wrong. I was stating the fact—

Mr. MARTINE of New Jersey. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New Jersey?

Mr. CLARK of Wyoming. I dread the eloquence of the Senator from New Jersey, and I fear his questions, those questions fearfully and wonderfully made.

Mr. MARTINE of New Jersey. I ask, will the Senator yield?

Mr. CLARK of Wyoming. Oh, yes; I yield for a question.

Mr. MARTINE of New Jersey. I want to ask if I understand the Senator correctly, that this is not a question of reciprocity, but that it is a question of politics, Democratic or Republican? I have heard the distinguished Senator make remarks regarding the political phase of the question, and then interjected in his remarks were remarks of the Senator from New Hampshire [Mr. GALLINGER] asking if the Republican Party had ceased to exist. I want to answer that by a quotation from one of the distinguished and great Republican papers of the great city of New York—

Mr. CLARK of Wyoming. I will not yield for that.

Mr. MARTINE of New Jersey. I ask that—

The PRESIDING OFFICER. The Senator from Wyoming declines to yield further.

Mr. CLARK of Wyoming. I beg the Senator will not introduce into the reciprocity discussion anything that any newspaper in the great city of New York has stated.

Mr. MARTINE of New Jersey. It has no particular reference to the—

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. CLARK of Wyoming. The Senator can introduce it in his own time. I do not care to have my remarks defaced by the interjection of matter of that kind.

Mr. MARTINE of New Jersey. I want to enlighten the Senator as to what the Republican Party—

The PRESIDING OFFICER. The Senator from Wyoming declines to yield for that purpose.

Mr. MARTINE of New Jersey. Well, I suppose, if it is perfectly in order, that I may enlighten a distinguished member of the Republican Party as to whether or not the Republican Party exists or is in control of this Senate; and with that view I most respectfully ask the privilege of quoting from the great Mail and Express of the city of New York—

The PRESIDING OFFICER. Does the Senator from Wyoming yield for that purpose?

Mr. CLARK of Wyoming. The Senator from New Jersey always enlightens us when he speaks, but I object, Mr. President, to newspaper controversies or views being printed in my remarks, or as a part of them. The Senator, of course, will find no objection if he presents them in his own time as a part of his views.

I am not, Mr. President, in this discussion arguing for one moment that I agree with all the members of my party. I am conscious of the fact, Mr. President—sadly conscious of the fact—that my action on this bill is at total variance with many great leaders of the Republican Party, but I believe as firmly as I believe anything else which is strong-rooted down deep in my heart that these leaders of the Republican Party are wrong on this proposition, and I have taken this opportunity, which I seldom do, to differ with my Republican associates, because I feel deeply the effect the proposed action may have on the future of our party, and if on the future of our party, then upon the future of our Nation.

I said, Mr. President, when I was interrupted, that I was against this measure because I believed it was not for the best interests of the country. I said I was against it because no man has risen in his place and shown where any great section of our country would be benefited by it. What great Republican leader is there, what protectionist is there to be found who either here or elsewhere has said that the country will be greatly benefited by this legislation?

It is assumed in many great centers that Canadian reciprocity is the solution for the high cost of living—a hope as baseless as the idle wind—and the very man who is most interested in seeing this pact carried through does not seek to hold out to the consumer the hope that he will be benefited by the reduction of high prices by virtue of this legislation. The best that anyone has said is that it will not do any great harm.

I am opposed to this bill because, in my judgment, it violates every principle of protection to which we have given adherence. It violates our last national utterance on protection in the Chicago platform. There is nothing in it from A to Z in accordance with Republican doctrine; but there is in it, my Republican friends, that which you and I in the Republican Party have steadfastly set our face against since our party had its birth, and that is the Democratic doctrine of free trade. That is in this bill and of it and through it; it is the foundation stone of the bill, as protection is the foundation stone of our party policy.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator from Wyoming just one question with reference to one of the last remarks he made, because I am sure he wants to keep the RECORD straight.

Mr. CLARK of Wyoming. Yes.

Mr. SMITH of South Carolina. If I understood the Senator correctly, he said that there has not been a single great party leader on the Republican side who advocated the doctrine embodied in the proposed reciprocity agreement.

Mr. CLARK of Wyoming. Oh, no; I did not say that. There are lots of them.

Mr. SMITH of South Carolina. Then I misunderstood the Senator; but that is the manner in which I understood him; and in view of that understanding I desired to ask him in what category he did put the real author of this proposal?

Mr. CLARK of Wyoming. To whom does the Senator refer?

Mr. SMITH of South Carolina. I refer to the President, of course. As I understand, this is largely the great issue upon which, in fact, he called the extra session; and I am quite sure that the Senator from Wyoming is not standing here in this day of protection and attempting to read the Chief Executive, the head and front of his party, out of his party. He called this extra session for the purpose of passing this very measure, and now the Senator denominates it a Democratic measure and claims that no real good, regular, stalwart Republican can support it without threatening the very foundation of Republicanism, when the man who carried your standard to victory and who to-day is the head and front of the Republican Party is sponsor for this measure; and this extraordinary session was called to pass it as a good Republican measure.

Mr. CLARK of Wyoming. The Senator asks a question, in which he assumes that I said something that I never did say, and then he assumes a division between the President and the Republican Party that does not exist.

Mr. SMITH of South Carolina. With the permission of the Senator, I should very much like to hear the explanation of his strictures on reciprocity.

Mr. CLARK of Wyoming. If the Senator had paid attention, he would remember that I said I opposed it because among all its advocates no one seemed to rise and give a good reason for its passage or attempt to show that any large portion of our citizens are favorably affected by it. That is what I said.

Mr. SMITH of South Carolina. Does the Senator not consider the President's message that accompanied the proposed agreement as a good reason, from a Republican standpoint, for the passage of this measure?

Mr. CLARK of Wyoming. I do not consider the President's message to Congress as the reason why I should vote for the measure.

Mr. SMITH of South Carolina. That is not the question, Mr. President. The question I asked was, did the Senator consider it a good reason?

Mr. CLARK of Wyoming. That is the answer, Mr. President, whether it is to the question or not.

Mr. SMITH of South Carolina. Then the Senator puts the President, in so far as he is related to reciprocity, in the category of a good Democrat?

Mr. CLARK of Wyoming. I think the Senator will find, when the time comes, that the President will be amply able to take care of himself. I said this was a Democratic measure. If it is not, what is it and where did it have its origin? It had its origin in the Ways and Means Committee of the House of Representatives, which is Democratic. Where did it have its vote? On the Democratic side of the House of Representatives. Where has it its vote in this Chamber? Upon the Democratic side of the Senate.

Mr. O'GORMAN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from New York?

Mr. CLARK of Wyoming. With great pleasure.

Mr. O'GORMAN. Is it not a fact that the bill was introduced in the House of Representatives by the leader of the Republican minority; that the bill itself was prepared by him; and, that being so, can the Senator doubt that it entered the House under very excellent Republican auspices?

Mr. CLARK of Wyoming. I understand, whether my understanding is correct or not—and I may be pardoned for mentioning names in order to make my answer clear—that the bill was prepared by Representative McCALL, of Massachusetts, one of those protection Republicans that I grieve from my heart to see taking his present position and laying, as I have said, the ax at the very root of the tree of protection.

Mr. SIMMONS. Mr. President, I should like, with the permission of the Senator from Wyoming, to ask him a question, but before asking the question I want to make a statement. The Senator said that this bill is a free-trade bill.

Mr. CLARK of Wyoming. No. The Senator must be accurate. I have spoken absolutely without notes, but when I get through I have a tolerably clear idea of what I have said. What I did say on that point is that I opposed it because there was in it the Democratic doctrine of free trade.

Mr. SIMMONS. The Senator says that it is a Democratic bill. Does the Senator mean he thinks it is Democratic because of the free trade in it? Is that what the Senator means to say?

Mr. CLARK of Wyoming. Substantially, I believe it is a Democratic bill, because it carries out the Democratic doctrine with regard to the tariff, and is opposed, in my opinion, to the Republican doctrine with regard to the tariff.

Mr. SIMMONS. Mr. President, I agree with the Senator that this bill is chock full of free trade. It puts all the products of the farm and forest upon the free list, and to that extent it is a free-trade measure. I concede that. But the Democratic Party is not a free-trade party; it is not in favor of free trade.

Mr. CLARK of Wyoming. I am glad to hear the Senator say that, because three eminent Democrats have risen within the last three days and said they were free traders.

Mr. SIMMONS. Can the Senator point me out a single item in this bill which applies the Democratic doctrine of a tariff for revenue?

Mr. CLARK of Wyoming. Mr. President—

Mr. SIMMONS. Just a moment. This bill is chock full of free trade—and that is one of the reasons I am against it, be-

cause I am not a free trader. It is full of free trade and protection, but there is not a line in it that gives application to the Democratic doctrine of tariff for revenue, and therefore I insist that it is not a Democratic measure. It is a free-trade and protection measure, but not a tariff-for-revenue measure.

Mr. CLARK of Wyoming. The Senator and myself, in fact, are upon a common ground. He is not a free trader, and I am not a free trader. He is for a tariff for revenue, and I agree that this is a bad bill. We have free trade at the start; we have free trade at the end. We have a little tariff scattered along through the middle, but in his portion of the country and in mine we both look out for the man who "plays both ends against the middle."

Mr. SIMMONS. That is what I desire the Senator to give me information upon. I have been carefully studying this bill; I have been trying to analyze it with a view to finding out whether there is in it anywhere a single item that applies the Democratic doctrine of a tariff for revenue.

Mr. CLARK of Wyoming. No. Assuming for the sake of the answer that the Democratic doctrine is a tariff for revenue, the Senator and I both know that this bill will not produce revenue, but that, on the other hand, it will throw it overboard in bucketfuls.

Mr. SIMMONS. I desire to say to the Senator that while there are reductions in the duties levied upon manufactured products in this bill, there is not a single reduction, so far as I have been able to find, that will bring the duty that is retained upon any manufactured product in this bill down to the revenue basis. On the contrary, I think the Senator is mistaken in saying that there is not a great deal of protection in this bill—not as much as he wants, of course, and not as much as the Republican Party wants, of course—but there is not a single manufactured product, of which a farm product is the raw material, upon which the duty in this bill in practical effect is not actually increased; and in some instances the increase amounts to as much as a hundred per cent.

I have here before me a table prepared by an expert of the Treasury Department, who has been assigned to the minority members of the Finance Committee by the Treasury Department, and who, I think, is one of the actuaries in that department, the same expert, as I understand, that the chairman of the Committee on Ways and Means of the other House used. According to the table furnished me by this expert, while there is a nominal reduction of the duty on cattle on the hoof, the duty retained on meat, the manufactured product, in view of the fact that the duty is taken off of the raw product, affords a greater amount of protection to the packer than exists under the present law.

Mr. CLARK of Wyoming. Oh, very much greater.

Mr. SIMMONS. Very much greater. I want to give the Senator the figures for the purpose of showing him that he is mistaken if he thinks that this bill is not full of protection as well as free trade. The truth is, Mr. President, the bill is nothing but free trade at one end and protection at the other; that is all there is of it.

Mr. CLARK of Wyoming. Which end has the protection in it—the first or the last?

Mr. SIMMONS. The free trade comes first and the protection afterwards—free trade upon the raw products; free trade upon the products of the forest and the farm; protection upon the products of the mills and the factories. That is the kind of bill it is.

Mr. CLARK of Wyoming. About as bad as they could make it.

Mr. SIMMONS. Now, upon swine, according to the figures furnished me—

Mr. REED. Mr. President—

Mr. SIMMONS. Just let me finish this.

The VICE PRESIDENT. Will the Senator from North Carolina permit the Chair to make an inquiry? The present occupant of the chair has been absent from the Chamber for a moment and he does not know who is entitled to the floor. Does the Senator from Wyoming still have the floor?

Mr. SIMMONS. The Senator from Wyoming is still entitled to the floor.

Mr. CLARK of Wyoming. I had taken my seat, but the Senator from North Carolina rose to make an inquiry, to which I am listening.

The VICE PRESIDENT. The Senator from North Carolina, then, is entitled to the floor.

Mr. SIMMONS. The inquiry I rose to make was whether the Senator from Wyoming was able to point me out a single item in this whole bill that applies the Democratic doctrine of a tariff for revenue. He has said he is unable to do that. Yet he insists upon saying it is a Democratic measure, because it has a lot of free trade in it. I have never understood the

Democratic Party to be a free-trade party. I myself surely am not a free trader.

Mr. CLARK of Wyoming. I think the Senator from North Carolina, in relation to the party on the other side of the aisle, has substantially the same difficulty I have on this side. I am unable to convince some of my colleagues as to the Republican doctrine. He is unable to convince a majority of his colleagues as to the Democratic doctrine, because we have had three distinct expressions from that side against the proposition the Senator has announced.

Mr. SIMMONS. I have not found anybody on this side in favor of free trade.

Mr. CLARK of Wyoming. In relation to this present bill and the inquiry of the Senator, I do not want the Senator to understand that because I have completed what I started to say I have in any wise exhausted the iniquities of this bill, and I am delighted to have the Senator go on and speak of those matters in the bill which are matters of common knowledge as being unfair in the application of the doctrine of protection, to be added to what I have already said.

Mr. SIMMONS. I was afraid from the Senator's remarks that the protection in this bill had escaped his attention, and I wanted to call his attention to it.

Mr. CLARK of Wyoming. No; not all. I was ashamed to speak of it; that is all.

Mr. REED. Mr. President, I wanted to ask the Senator from North Carolina a question. Does he denominate this as a bad bill because it gives free trade in lumber?

Mr. SIMMONS. I did not desire to use the word "bad." If I have used that word, I withdraw it. It is a bill I can not support in this form. I do not regard it as a good bill.

I will content myself by putting into the RECORD the table to which I have referred as showing a large net increase in the protection which the pending bill affords over the present law upon meat products and upon flour. In the aggregate it amounts sometimes to over 100 per cent. I do not desire to elaborate that. I simply referred to it for the purpose of showing that there is a great deal of protection in this measure as well as free trade.

The table referred to is as follows:

Effect of proposed reciprocity upon the protection to certain industries.

	Duty.	
	Present.	Reciprocity.
Beef cattle:		
Alive, valued at \$50.....	\$13.75	
Dressed, 700 pounds.....	10.50	\$8.75
Protection to packer.....	13.25	8.75
Swine:		
Alive.....	1.50	
Dressed, 200 pounds.....	3.00	2.50
Protection to packer.....	1.50	2.50
Sheep:		
Alive.....	1.50	
Dressed, 150 pounds.....	2.25	1.87½
Protection to packer.....	.75	1.87½
Wheat:		
4.53 bushels (amount needed to make 1 barrel flour).....	1.13	
Flour, 1 barrel.....	\$1.18	\$0.50
Mill stuff, 55 pounds.....	.10	.07
Protection to miller.....	1.28	.57
	.15	.57

¹ Against the packer.

Mr. REED, Mr. WILLIAMS, and Mr. HITCHCOCK addressed the Chair.

The VICE PRESIDENT. Does the Senator from North Carolina yield, and to whom?

Mr. SIMMONS. I yield to the Senator from Missouri, if I have the floor. I do not know whether I have the floor or not.

The VICE PRESIDENT. The Senator from Missouri is yielded to.

Mr. SIMMONS. I wish to say, before yielding, that of course I regret to have to disagree with my colleagues on this side of the Chamber about this measure.

It has been understood all the time that I did disagree with them, and I am expressing here to-day the views I expressed just before the close of the last session of Congress, when I made an elaborate speech upon this subject—my individual views. Then and now I spoke for myself alone.

Mr. REED and Mr. WILLIAMS addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from North Carolina yield?

Mr. SIMMONS. I yield to the Senator from Missouri.

Mr. WILLIAMS. Will the Senator from Missouri permit me to ask a question of the Senator from North Carolina before he takes his seat?

Mr. REED. I surely will.

The VICE PRESIDENT. Does the Senator from Missouri in turn yield to the Senator from Mississippi?

Mr. REED. Certainly.

Mr. WILLIAMS. I desire to ask the Senator from North Carolina about this table he has had inserted in the RECORD.

Mr. SIMMONS. I only want to insert—

Mr. WILLIAMS. I want to ask the Senator by whom it was prepared and at whose request.

Mr. SIMMONS. It was prepared at my request.

Mr. WILLIAMS. It was prepared at your request? That is what I want.

Mr. SIMMONS. By a Treasury expert who has been assigned by the action of the Finance Committee to assist the minority members of that committee in getting up statistics.

Mr. WILLIAMS. It was prepared by him at your request?

Mr. SIMMONS. At my request, just as he will prepare and, I have no doubt, has prepared some for you—

Mr. WILLIAMS. I understand.

Mr. SIMMONS. And I am sure he is preparing every day like tables for other minority members of the Finance Committee.

I want to say, further, at the suggestion of the Senator from Texas that his instruction is that when he prepares a table for one minority member of the Finance Committee he is to furnish every other minority member of the committee with a copy of the same table.

Mr. CLARK of Wyoming. Will the Senator yield for just a moment?

Mr. SIMMONS. I had yielded to the Senator from Missouri.

Mr. CLARK of Wyoming. It is for just a moment.

Mr. REED. I yield, if I may, with the permission of the Senator from North Carolina.

Mr. SIMMONS. Surely.

The VICE PRESIDENT. The Senator from Wyoming is yielded to.

Mr. CLARK of Wyoming. I wanted to read into the RECORD the balance of the paragraph to which the Senator from Nebraska called my attention. The Senator from New York [Mr. ROOR], in answer to an inquiry of the Senator from New Jersey [Mr. MARTINE], said, as reported in the RECORD of June 21, at page 2374:

I must be permitted to answer the question of the Senator, because a question put by him is always entitled to respectful consideration. I think that here and there, at certain localities along the border, farmers have been benefited by protection on their food products. I do not think that as a class in general up to this time or until perhaps within a very short period, the protection upon food products has been of any real advantage to the farmer. I do not think that the Senator from New Jersey is justified in inferring from that that the farmers have been hoodwinked. I think that the farmers have, upon their own good judgment, believed that it was beneficial to them to have this duty, probably more because they were looking forward to the time when it would be useful for them than that they thought it had already been useful for them as a class.

That is what the Senator from New York said.

Mr. HITCHCOCK. Mr. President, I should like to ask from what page the Senator is reading?

Mr. CLARK of Wyoming. From page 2374.

Mr. HITCHCOCK. At the top of the first column?

Mr. CLARK of Wyoming. What is that?

Mr. HITCHCOCK. I am unable to find it. The Senator from Wyoming did not read the last of the paragraph of which I read a part.

Mr. CLARK of Wyoming. I was reading the complement of what the Senator read.

Mr. HITCHCOCK. The Senator, however, has read from a different colloquy altogether. What I read was a colloquy between the Senator from New York [Mr. ROOR] and the Senator from Texas [Mr. BAILEY].

Mr. CLARK of Wyoming. I will—

Mr. HITCHCOCK. If the Senator will permit me, I have no objections to reading the balance of that paragraph.

Mr. CLARK of Wyoming. The reason I wanted this read was that the position taken by the Senator from New York might fully appear, and I will read the balance of the first colloquy:

Mr. President, I have stated my view regarding the inevitable result of the process which is now going on upon the system of food duties. I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer. They have been quite indifferent, affecting only several localities here and there, so long as our production ran far ahead of our consumption. But, with the increase of our cities as compared with our farming population

and the using up of our waste lands and the fencing in of old cattle ranges and the reduction of the productive power of our land, we have about come to the point where the continuance of those duties, instead of being a matter of indifference to the people of the country, would result in putting up the cost of food.

I am not arguing the question. I am simply stating a reason why the farmers should not consider that this reciprocity arrangement is doing them any particular harm, because it is something that is sure to come to them anyway.

When I was quoting the Senator from New York it was not because I agreed with his views, but simply to state the position which he assumed, and I desired, in my answer to the Senator's interrogatory some time ago, to have the position of the Senator from New York appear as announced, both in his answer I have read and his answer to the Senator from New Jersey [Mr. MARTINE].

Mr. HITCHCOCK. Before we get too far from the question which I originally addressed to the Senator from Wyoming I should like to revert to it in order to ask him what he will do now that he is upon the other horn of the dilemma. My first question was whether he agreed with the distinguished Senator from New York [Mr. ROOR] when he used this language:

I never have thought that the duties which were imposed upon farm products were of any real general benefit to the farmer.

Now, instead of replying to that question the Senator from Wyoming has insisted on having read the balance of the same paragraph of the speech of the Senator from New York [Mr. ROOR]. I should like to ask the Senator from Wyoming whether he agrees with the further statement of the Senator from New York when he states that to continue those present duties would result in putting up the cost of food?

That is the language the Senator from Wyoming has insisted in reading, quoting from the Senator from New York, and now that he is upon that other horn of the dilemma I should like to inquire whether he agrees with the Senator from New York in that proposition.

Mr. CLARK of Wyoming. Of course I do not. I do not believe—

Mr. HITCHCOCK. So that the Senator from Wyoming—

Mr. CLARK of Wyoming. I do not believe that the price of food in this country depends for one moment to-day upon the price that the farmer receives for his product. I do not believe that reducing the price of wheat 10 cents a bushel would reduce the price of flour a cent a barrel.

Mr. HITCHCOCK. So that the Senator from Wyoming disagrees with the Senator from New York when he declares that the tariffs maintained in the past on farm products have not benefited the farmer, and he also disagrees with him when he declares that to maintain those tariffs would result in increasing the cost of food to the people.

Mr. CLARK of Wyoming. The Senator absolutely states incorrectly my position upon both propositions.

Mr. HITCHCOCK. Then I should like to ask the Senator from Wyoming what he has gained by reading the balance of the paragraph of the Senator from New York when he disagrees with the qualification as much as with the original statement?

Mr. CLARK of Wyoming. I did not have the statement of the Senator from New York [Mr. ROOR] read because I believed or disbelieved what he said. I had that section of it read because I wanted his position made clear.

Mr. ROOR. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New York?

Mr. REED. I will continue to yield.

Mr. ROOR. I merely wish to make my acknowledgment to the Senator from Wyoming for preventing the RECORD of to-day standing with the garbled and unfair version of what I said the other day.

Mr. REED. Mr. President, I started to ask the Senator from North Carolina a question, and was interrupted and did not conclude that question. I do not desire now, since the Senator from North Carolina [Mr. SIMMONS] has yielded the floor, to ask the question. But the spectacle of a stand-pat Republican and of a Democrat standing together on the same platform and illustrating the idea of how beautiful a thing it is for brethren to dwell together in unity is so remarkable an exhibition that I shall take great pleasure in offering some observations upon it before this debate closes.

Mr. TOWNSEND. Mr. President, I realize that it may seem somewhat ungracious at this hour, when Senators appear to be ready to vote upon the Root amendment, to make any remarks upon it. I am especially embarrassed also by the fact that I have given notice that I would address the Senate to-morrow on the merits of the reciprocal agreement itself as they appear to me. But that notice was given before I knew we were to vote on the amendment before Tuesday.

I am convinced, Mr. President, after looking over all of the facts and circumstances connected with the case, that the Root amendment, so called, does make the House bill as it is presented here conform practically to the agreement as made. I realize that it will make very little difference to those Senators who are opposed to the agreement itself or who are willing that any amendment should be made to it whether this bill conforms to the original agreement or not. But it is of considerable importance to me to know what that agreement was and what the Root amendment seeks to do.

Until recently I had not supposed that there was any doubt in the mind of any Senator as to just exactly what the Canadian representatives and the United States representatives intended by that original agreement, and it was to the effect that wood pulp and paper and board not exceeding in value 4 cents a pound were to pass freely without duty between the two countries when, and only when, no restrictions whatever were imposed upon exports of these products from Canada.

I submit, Mr. President, that no one can read the correspondence that passed between the Canadian representative and Secretary Knox on January 21 last, unembarrassed by any suggestions that have been made since, and not come to the conclusion that the agreement was such as I have stated.

This is also confirmed by the statements of Mr. Fielding, one of the contracting parties, before the Canadian Parliament on the 23d day of January last. There has been some dispute as to just exactly what he said, and in order that this matter may be made clear I have obtained a report of his speech contained in the Canadian House of Commons Debates; and I am going to insert that, or the portions of it which apply to this, in the RECORD.

I am going to read a portion of it, so as to make it clear what was the understanding of Mr. Fielding.

He said in the course of his speech:

Before I proceed to take up the schedules in detail, there are one or two interesting features which I am sure the house would wish me to explain at the earliest moment.

He is discussing the Canadian pact.

We have had very interesting discussions from time to time over the question of the duty on paper and pulp of various kinds. Our American friends were anxious for some tariff change in relation to these articles. We ourselves were anxious for some tariff changes. As respects certain grades of pulp and paper, mechanically ground pulp, chemical pulp, common printing paper known as news print, and the common pasteboard and the cheaper articles of paper other than news print, or common paper, up to a limited value of 4 cents per pound, we believed that we could compete with our American friends on these particular articles and that it was desirable we should have free trade in them. As to the paper of a more advanced quality, I doubt if we would be able to compete with them, and we did not take that class of paper into our negotiations. But as respects pulp of its various kinds and common news-print paper and common pasteboard and common paper of all kinds running to the value of 4 cents per pound, we would have been quite willing to have reciprocity with them. They said, "We are"—

That is, referring to our representatives—

They said: "We are quite willing to do that if you provide that the regulations which exist in some of your Provinces with regard to the shipment of pulp wood shall be removed." Of course, there could be but one answer to that. We have nothing to do with the provincial regulations. These regulations have been made by the provincial governments in accordance with what they believed to be the best interests of their respective Provinces, and whether they are good or bad regulations was not for us to debate with our friends of the United States. And so we had to say to them: "If you propose to put any such limitations upon the arrangement, we can not object to your doing for yourselves what you think best respecting the terms and conditions upon which you will admit our paper into your country; you have the right to impose these conditions, and if they do not suit Canada no harm is done; but we on our side will not agree to make paper and pulp and these articles free in Canada until you have made them free in your country from every Province and part of the Dominion of Canada." So the matter stands in this way: That they will put in their tariff, as set forth in their correspondence with us, an item that these various grades of pulp and paper shall be made free if there be no regulations, either in the form of an export duty or in the form of the provincial regulations interfering with the shipments of pulp wood. Whenever that condition arises they will make paper free. We said: "All right, but that is no good for us, and we will not make your paper free in Canada until you remove the restriction."

The President of the United States was instrumental in making this arrangement, and he has admitted, in public, and does not deny it now, that this agreement was to take effect when Canada removed all restrictions. I think no one will read section 10 in the letter of Fielding and Paterson without understanding that they believed that all provisions as to the free entry of paper, wood, and pulp of the character named should be inoperative until the Canadian restrictions should be removed. They were speaking of Canada as a whole. If this provision is to be of any use at all, it must be construed by the courts eventually. This paper provision is a part of this agreement, and it should be so harmonious that it will conduce to better relations between the two nations. If this provision can be construed to mean what the opponents of the pending amend-

ment claim for it, then it will cause confusion rather than harmony. With the House bill unamended, I still think the court must construe it to mean what the contracting parties intended it to mean, but the expressions of gentlemen in both Houses of Congress would complicate that construction if the court takes notice of such expressions.

Mr. BROWN. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. TOWNSEND. Certainly.

Mr. BROWN. The court, in construing the provision of section 2 of this law, would construe it with reference to its language alone, would it not; that is, entirely independent and aside from the correspondence between the two Governments?

Mr. TOWNSEND. I think it is very liable to do that. I think it ought to do it.

Mr. BROWN. The Senator thinks it would do that?

Mr. TOWNSEND. I am inclined to think it would.

Mr. BROWN. Then, in the opinion of the court, there could be no doubt about what this provision meant, unless the doubt arises from the provision itself?

Mr. TOWNSEND. Yes; unless it takes cognizance of what some Congressmen say.

Mr. BROWN. The Senator does not contend that there is any doubt about what section 2 means as it passed the House and as it is reported to the Senate?

Mr. TOWNSEND. Let me ask the Senator a question. Does the Senator from Nebraska understand the provision to mean that pulp or paper or wood from any part of Canada can come into the United States free if any other part of Canada imposes restrictions on exports?

Mr. BROWN. It does not mean anything of the kind. The provision means just what it says, that paper, pulp, and spruce—I use spruce as a substitute for pulp wood—shall come into this country free of duty when that print paper, pulp, and spruce is free from any restriction imposed by a Province of Canada.

Mr. TOWNSEND. That particular shipment?

Mr. BROWN. Yes. In other words, the provision attaches to the wood, it attaches to the print paper, it attaches to the pulp, and it has nothing at all to do with that pulp and print paper and spruce which is restricted in any way by any Province of Canada.

Mr. TOWNSEND. The very statement of the Senator from Nebraska indicates what doubts may arise, because he clearly differs from every one of the men who had anything to do with making this agreement. No one of them believed that a pound of paper or wood pulp could come into this country when there was any restriction by any Province of Canada.

Mr. BROWN. Let me show the trouble under which the Senator is laboring. He confuses the agreement as he understands it with section 2 in the law. There is nobody disagreeing to-day about what section 2 means. It means just what I said it means. But there is a difference of opinion about what the agreement originally was. The agreement is wholly immaterial, so far as Congress is concerned. We are not called upon to vote up or down the agreement. We are called upon to vote section 2 into the law or out of the law. The agreement is not offered here. If there is any difference, it is between the agreement and the provision of the statute. If the Senator will confine his argument to section 2, he will find that there will be no doubt in his mind as to what it means.

Mr. CLAPP. Will the Senator yield to me?

Mr. TOWNSEND. Certainly.

Mr. CLAPP. While the Senator from Nebraska is correct in saying that the court will construe the law, is there not a possibility that the court, in construing the law, will take the same view of the law which the men who framed the law took? If the men who framed the law believed they were providing that no paper could come into this country as long as any paper would be burdened by a restriction, is it not quite likely the court would take the same view?

Mr. BROWN. The court could not take the same view, because the court could not take into consideration matters relating to the negotiation of the agreement. The agreement was made by one set of people and the law is passed by another set.

Mr. CLAPP. I am not saying that the court would not take into account the views of the men who framed the law, but if the men who framed this bill sought to convey an idea, and believed they were conveying that idea, is it not strongly presumptive that others, in construing the law, not because of the expression of the opinion of the men who framed it but by the analogy of mental operation, would take the same view of the law?

Mr. SMITH of South Carolina. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. TOWNSEND. Yes, sir.

Mr. SMITH of South Carolina. Will the Senator from Nebraska allow me to ask him a question right here in order to get my mind perfectly clear on one point? In looking up the statistics in reference to the available supply in Canada I find that the Dominion has control, in round numbers, of about 700,000 square miles, and the Provinces of about 500,000 square miles. Under the terms of section 2, could not the Dominion of Canada, exercising its prerogative, allow all the products enumerated in the bill under section 2 to come in without regard to what the Provinces might do in the premises?

Mr. BROWN. Mr. President, the Senator is mistaken in his statement of fact. In the first place, the Dominion Government, as I understand it, has not control of the public lands; they are exclusively under the control of the different Provinces.

Mr. SMITH of South Carolina. I understand, but I have the differentiation from the Canadian Yearbook. It states explicitly that the Dominion has control of public lands in the Northwest Provinces and territories of about 700,000 square miles, in all of which there is merchantable timber.

Mr. BROWN. If the Senator will permit me, the Provinces control at least 85 per cent of all the available spruce or pulp wood of the Dominion, and the rest is in private ownership; it is controlled by individuals, and comes in free under section 2 of the pending measure.

Mr. SMITH of South Carolina. This is the point I am making. Held by the Dominion and in private ownership there are about 1,000,000 square miles, while when the Provinces entered the Confederation they retained their land, and it amounts to about a half million square miles. So, if section 2 of the bill were to go into effect, the quantity in private ownership and the Dominion would be a preponderance of this available material.

Mr. TOWNSEND. Mr. President, I hope I may proceed now. When interrogated I was saying the proposition that the agreement which was entered into by the representatives of the Canadian Government and the United States Government was clearly understood before technical objections were raised. I have shown that Mr. Fielding in his speech in Parliament explained it and stated that no paper or pulp wood could come into the United States until we had removed the restrictions from the Canadian paper, and that it meant absolutely free trade between the two countries on these articles when the paper provision became finally operative. At first it would be simply a conditional agreement, and would remain so until Canada removed all her restrictions as to export of paper, board, pulp, and pulp wood.

I have stated that I believe the original agreement contemplated free entry to both countries when it was granted to one, and I believe that section 2 of the bill will be construed by the courts to mean that no paper or pulp of the kind described can come into the United States until there had been a removal of all Canadian restrictions. Something was attempted after the original agreement was presented to the House, and before the House bill was presented. It is an open secret that a Canadian representative was consulted, and after consultation it was agreed that the House bill might be so framed that the United States might become a party with Canada to coerce those Provinces which had imposed export restrictions into removing the same. Is this the part for two nations to take at the beginning of relations which we hope will make for amity and good will?

Mr. Fielding inserted in his letter to Secretary Knox that these provincial regulations were made for what was believed to be right and good for the Provinces, and he said Canada had no desire to change them. Did he mean that it had no desire which it would publicly announce, but that it was willing by trick of wording in a bill to destroy those provisions?

Personally, I do not want to be a party to this clandestine arrangement. I think as well of it as I would think of a plan whereby Canada and this Government should unite to coerce one of our States into relinquishing a right which belonged to it. This action will not facilitate favorable action by Canada. It will retard favorable consideration in the Dominion and plant seeds of distrust rather than those of confidence.

Why was the House amendment brought about? For it is believed that the House did change the original agreement. There were two reasons. One of them was the International Paper Trust and the other was the representative of the American Newspaper Publishers' Association, who is receiving from that association \$15,000 a year for the purpose of obtaining

free print paper. He admitted that that was what he was engaged in doing.

I do not know whether there is a papermakers' trust or not; I do know, however, that there is a statute in such cases made and provided which has proved very efficient in disposing of such matters; I do know that this is not the proper way to deal with a trust. Why, even the great leader of Democracy for the last fifth of a century never advocated this doctrine. He said that where a trust was manufacturing goods he would destroy it by putting articles made abroad in competition with it on the free list.

But this measure does more than that. It does more than put the goods which compete with the products of the trust here on the free list. It puts the competitors of news-print papermakers in this country at a disadvantage with their competitors abroad. It purposely and with malice aforethought gives the Canadian manufacturer an advantage by allowing a free market in which he can purchase his raw material, which market it denies to the American manufacturer. And the worst of this is that the United States is a party to the scheme which so unfairly treats our own industries. It is not the newspaper makers' trust alone which you are punishing. There are only a few of our concerns in this alleged combination, and yet every independent factory is hit with the same bludgeon.

I will submit to the proposition of making our print-paper manufacturers and our wood-pulp manufacturers compete on equal terms with their competitors. I do not want to put them to any disadvantage. But it was urged by some that if we let in a little bit of paper from Canada, because only a small portion can come in under any view of the bill, that that will induce the Provinces to remove their restrictions. It will do nothing of the kind. If a portion of the Canadian products can have a free entry into the United States and keep out all competition from the United States, what reason can Canada have for trying to remove the restriction from the balance of the Provinces and have competition with the United States? Mr. Fielding, in his speech to the Canadian Parliament, from which I have quoted, seems to think that only in lower grades of paper can Canada compete, so that the difference in cost, or selling price at least, can not be great.

Mr. BROWN. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. TOWNSEND. For a question. I do not want to take too much time.

Mr. BROWN. I thank the Senator. Does not the Senator believe that the owner of private lands, spruce lands, up there, having free access into the United States, being in competition with the man who is leasing the provincial or Crown lands, that are not given free entry into the United States, the competition between these two classes in Canada will present a situation that the Government will take recognition of and put them all, as soon as it can, on an equal basis, being citizens of the same country?

Mr. TOWNSEND. I think that is very fanciful. I do not think there is any foundation of reason—at least not to me—in that proposition. It is admitted that the Dominion has no authority over Crown lands in the Provinces; and, besides, there is practically no competition there.

Mr. BROWN. The man who owns timberlands is in competition with the man who leases the Crown lands, is he not, in Canada?

Mr. TOWNSEND. Yes.

Mr. BROWN. They are in competition. One has free access to the American market and the other does not have it. Is it not natural to suppose that the Government of both those classes will undertake to fix the law so that they may be on an equality and have the same freedom of our market?

Mr. TOWNSEND. Some of the Provinces have imposed this restriction right in the face of the prospect of having free trade with the United States. I think, if they believe they are good, they are going to hold to them. But can the Senator from Nebraska give me any reason why we are to let paper and wood pulp come from certain Provinces of Canada free into the United States and not demand that those particular Provinces shall admit our products free?

Mr. BROWN. The Senator asks me the question. I think we ought to make the demand, and for one I should welcome the result, but our demands on the Dominion of Canada are at the mercy of Canada. She can answer them or ignore them.

Mr. TOWNSEND. She entered into this arrangement, and our representatives agreed to it, but now Senators desire to complicate it by reading something into it which was never contemplated, never understood. The Root amendment pro-

vides just exactly what the Canadian bill provides, namely, that when Canada admits this stuff free into that country, then the products from Canada shall come free into the United States. There is not any doubt but what this was the understanding of the makers of the agreement, and this amendment makes the meaning clear.

But I wish to discuss the second reason, and that was the influence of a representative of the American Newspaper Publishers' Association. For myself, sir, believing as I do in Canadian reciprocity, and I hope to give some reasons for that belief to-morrow, I am exceedingly sorry that the newspapers, or certain of them, have not purged themselves of the charge that this is a measure for the benefit of their special interest. We live in an age when the war cry is death to special interests, and the great newspapers, which have been the medium through which this warfare has been carried on, should be the very first to come forward and say, "We want no special benefits." And how small the benefit will be at the most. It would have been better for the influence of the press if it had not asked for an exception in its behalf. I know that all of the newspapers of the country are not parties to this special-favor clause. The lobbyist only represented a few as compared with the whole of the papers, and I personally know that many papers are for this agreement because of principle. They believe in it and support it, because it is right.

If the House amendment is allowed to pass, what are you going to say about other amendments which may be proposed? They will be as much in order as the one incorporated in the House bill.

Mr. President, I had not expected to say anything upon this subject at this time, but I felt it was due to myself that I should give my reasons for supporting this amendment.

We should extend to Canada the same rights and privileges as to print-paper pulp and wood as she grants us—that much and no more. She will respect us more, and we will think better of ourselves if, while granting favors to her, we do justice by our own.

Mr. NELSON. Will the Senator allow me—

Mr. TOWNSEND. Certainly.

Mr. NELSON. I understood the Senator to say—I am not quoting his exact language—it would be a mistake to grant the newspapers of this country free trade with Canada without Canada giving anything in return. Is that the Senator's position?

Mr. TOWNSEND. Practically that is it.

Mr. NELSON. Then, if he is opposed to free trade in news-print paper, why is he in favor of free trade in farmers' products? Can he explain the difference?

Mr. TOWNSEND. I have not opposed free trade in news-print paper. I want free trade in news-print paper. That is what I am contending for. I am contending that the agreement as it is interpreted by gentlemen who want to get some advantage out of it is not free trade, but it is free trade in the United States for Canada and it is a prohibition to the United States in Canada.

Mr. NELSON. Will the Senator allow me? Is it not exactly the same in effect? In other words, section 2 lets in Canadian paper free into this country, as it is worded to-day.

Mr. TOWNSEND. A little of it.

Mr. NELSON. Yes; the product of private lands.

Mr. TOWNSEND. That is what they claim for it. I think the courts will hold it does not, but I would remove all doubt—

Mr. NELSON. If it admits paper free, why should those who are in favor of that policy insist on having the farm products of Canada come in free?

Mr. TOWNSEND. Mr. President—

Mr. NELSON. Does the Senator expect that Canada will furnish our farmers any market for our agricultural products—our wheat, oats, barley, and flax?

Mr. TOWNSEND. I am going to discuss the question of reciprocity to-morrow. I hope I shall be able to give some reason for the faith I have in me that the Canadian reciprocity bill is in accordance with the principles of a protective policy as I have always understood it and as I have always advocated it. I do not care to-day to enter into that discussion. I am now simply discussing, or have tried to discuss, the question as it relates to print paper. I believe the intent of the makers of this agreement was right. I believe the notions which have been read into it by certain gentlemen who are opposed to the Root amendment are wrong. The original agreement was one between the two countries and for the whole of those countries. It was intended to be reciprocal. Why not make it so beyond all doubt?

Mr. CLAPP. Mr. President, I only want to say a few words in regard to the so-called Root amendment. I have been in the Senate for some years and have differed with almost everybody in the Senate and outside of the Senate; but I have always insisted upon one thing, and that was that we should put in legislation just what we intended—good, bad, or indifferent as it might result.

I have listened to arguments upon the Root amendment, and I can see no relation between the Root amendment and the obscurity that is in the pending bill. The pending bill provides, in section 2, that paper and its attendant commodities of a certain character and value shall be admitted into the United States on conditions precedent. Those conditions precedent, which I need not enumerate, are conditions over which the Canadian Parliament has no more authority than has the Congress of the United States, being subject entirely and exclusively to the control of the parliaments or governing bodies of the Provinces.

I contend that under that provision, with those conditions precedent, the fair conclusion is that no paper—because it is referred to as "such paper," and what does "such paper" mean except the paper described in the bill?—that no paper or its attendant commodities can be received into this country without duty so long as such paper, print paper, and other paper, not to exceed 4 cents a pound in value, finds any restriction anywhere in Canada. If I could have my way, Mr. President, if we have reached an economic development where we can put Canadian paper on the free list, I would strike out those conditions precedent, just as I urged two years ago, that so far as we reduced the duty on paper, we should strike out those conditions precedent, because to maintain those conditions precedent amounts to levying two taxes on the paper when we have reached the point where we concede that paper should come into this country free.

I have offered an amendment, with that object, which is pending. However, I recognize the condition—that the newspapers in this country have been led to believe that under this language as it is now framed, as the bill passed the other House, they are going to get free print paper; and I understand, as well as we understand anything in this world, that the effort to strike out those restrictions, those conditions precedent, will be misinterpreted and purposely misconstrued, and knowing also the futility of the attempt, I shall not press the proposition in connection with this bill; but when we reach the free-list bill I am going to renew the effort where it will be beyond the power of any representative of any interest, through misguided followers of his, to misinterpret and misrepresent the position in which I am placed. So, to avoid any confusion as to that, I shall not press the amendment to this bill at this time.

Believing that this bill in its present form, where it purports to give America free paper, is a deception, a delusion, and a snare, I am not going to join in another deception, delusion, and snare, which I believe the Root amendment to be, and it is needless to say I do not impute the purpose to its author, but I do insist that it is delusive. The Root amendment, as has been repeated here time and time again, does not relate to the restrictive provisions in this bill. The Root amendment simply relates to a certain thing over which the Parliament of Canada has absolute jurisdiction, namely, the importation of American paper into Canada, which, for economic reasons, can not successfully be done. The Root amendment provides, in addition to those conditions precedent, that when they occur and "when the President makes proclamation, that moment paper is admitted into Canada free, then Canadian paper shall be admitted into this country." What has that to do with the question of these conditions precedent now in the bill, upon which depends the exportation of paper from Canada to this country? Absolutely nothing. They deal with a matter that is absolutely in the power of the Canadian Parliament, because the Canadian Parliament alone can impose import duties upon paper coming from this or any other country into the Canadian market.

It is said, however, that unless we get access to the Canadian market in consideration of Canada getting access to our market it is not reciprocity. Well, Mr. President, that does not embarrass me in the slightest, for I undertake to say that there is no element of reciprocity in this bill. It is the same old plan of Canada—and I admire Canada for adhering to the maxim that "charity begins at home"—maintaining her duties, as her great minister stated in the speech quoted by the Senator from Michigan [Mr. SMITH], where we might compete with her, but asking us to take our duties down where she can compete with us.

Last year I roughly estimated this, and I find that we exported \$300,000 worth of paper, pulp, and wood into Canada, while Canada exported \$4,000,000 worth into this country. I will not be a party to the travesty of calling it a reciprocal obligation or a reciprocal condition where experience has demonstrated our utter inability to compete with that market, on condition that they have our market. There is but one justification for taking this duty off of paper, and that is in the economic development of this country we have reached a point where we owe it to the consumers of paper to remove the duty. If that consideration does not exist, it is a travesty on statesmanship to talk of trading a market that only takes \$300,000 worth of our products against our market taking \$4,000,000 of theirs and calling it reciprocity.

As I believe section 2 of the bill as it now stands is a fraud and a deception upon the paper users of this country, so I believe the Root amendment is a fraud and deception—of course not intentionally on the part of the Senator from New York—but a fraud and deception upon the paper makers of this country, because it assumes to give reciprocal rights, when, from an economic standpoint, it is so self-evident we can not compete. As I do not propose to vote for this bill, thinking as I do, that it is a fraud and deception upon the consumers of this country, so I do not propose to vote for an amendment that is a fraud and deception upon the American manufacturer. Therefore, for one, I shall vote against this so-called Root amendment.

Mr. HEYBURN. Mr. President, I should like to feel entirely sure that I really was not at cross-purposes on the legal question with the Senator from Minnesota [Mr. CLAPP]. I have great confidence in his legal acumen. I understood him—I may be wrong—to base his argument upon the supposed fact that the Provinces of Canada could impose an export duty.

Mr. CLAPP. No; on the contrary, I stated—and that has confused this whole argument, the idea that the Root amendment went to what the Provinces of Canada could do—that the Provinces could not impose either an export or an import duty.

Mr. HEYBURN. I think the Senator will find, when he reads the CONGRESSIONAL RECORD to-morrow morning, that he did not use the term "export." He said the Provinces could not impose an import duty; that the Dominion only could do it. But I think the Senator, of course, intended to—

Mr. CLAPP. In that connection, I only used the word "import" because I was dealing merely with the Root amendment, which relates to the importation into Canada of American paper. The Senator is right in my use of the word.

Mr. HEYBURN. Yes; because it would make a vast difference in arriving at a conclusion in regard to this matter, as to whether or not we were at the mercy of the Provinces in any regard. We are not at the mercy of the Provinces in any respect whatever, because the constitution of Canada authorizes the Dominion Parliament to remove any such embarrassment.

Mr. NELSON. Will the Senator allow me a question at this point?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I want to correct what I think was a misapprehension of the Senator from Idaho the other day. The Dominion Government has control over duties and customs. It has no control of the timber lands of the Provinces. I have here before me, if the Senator will allow me to quote it, the act of March 29, 1867, the British act of Thirtieth Victoria, chapter 3, establishing the Dominion Government of Canada. This act may be cited as the British North American act. I repeat, it is the act establishing the Dominion Government, and, as it were, the constitution under which that Government exists. I read from that act as follows:

EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES.

92. In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is to say. * * *

Paragraph 5 reads as follows:

5. The management and sale of the public lands belonging to the Province and of the timber and wood thereon.

That gives the provincial legislatures exclusive jurisdiction over the timber lands or the lands owned by the Provinces. There can not be any doubt about it. That is the construction put in paragraph 10 of the letter of Messrs. Fielding and Paterson addressed to Secretary Knox.

Mr. HEYBURN. Mr. President, I had before me, and I have now, the same section to which the Senator has called the attention of the Senate. I imagine it is punctuated the same. It reads:

The management and sale of the public lands belonging to the Province and of the timber and wood thereon.

That is all one sentence. That is to say, they may legislate relative to the management and sale of it. The Provinces do not own it. The Dominion of Canada pays to each Province a bonus in lieu of the timber surrendered. But we do not need to go out into that field, because it is a wide one and it is coupled with a vast amount of legislation and regulation. We only need to go to the question of power.

When I referred to this matter it was in connection with a statement that was being read, in which it was stated, not that Canada did not have the power, but that she did not have the right. When we came to analyze the subject then under consideration, we found that they were not using the word "right" as synonymous with "power." They were referring to it in an ethical sense as to what Canada should do, rather than what she might do with her Provinces; and it was in that connection that I read the section referred to by the Senator.

I think it must be admitted that Canada has absolute control, and in fact that Canada can alone make laws and regulations for carrying laws into effect with reference to either exports or imports. The provision is in the fifth paragraph of the section read by the Senator—section 91—and it is in language that our Constitution uses, and would be subject to the same construction. The main difference between the constitution of Canada and that of the United States is that in Canada no powers run to the Provinces except by express provision, while in our country no powers run to the Government except by express provision. It is just reversing the proposition. So that the presumption is always the other way as between the two countries. We must construe their constitutional provisions as ours are construed, because their constitution was drawn with the Constitution of the United States in the mind of the party who was drawing it. It became operative just after the war, when this Government was in the saddle, and probably for that reason our Constitution was taken as a criterion in drawing that of Canada. They were four years putting it in force after it was first drawn, and during those four years the British Government professed to entertain some doubt as to just what the result of the war then pending would be, and it was dallied with.

Mr. President, I do not imagine that any Senator is contending at all that the reservation expressed in lines 19 and 20, on page 23, refers to any act that may be done or may not be done by a Province. It refers only to the acts and the power of the Dominion of Canada, and must be read in connection with the fifth article of section 91 of the constitution of Canada, because it is dealing with that subject. We have got to read them together. Had this intended to have any reference whatever to the Provinces it would have said at the end of it "made by any Province thereof." It does not do so. It starts out by referring to what Canada as a Dominion can do, and it does not change that relation to the end. It would have been proper and convenient, had it intended to refer to any provincial power or right, to have said "any restriction which any Province may impose"; but it retained the reference to the Dominion from beginning to end.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. HEYBURN. Yes; certainly.

Mr. CLAPP. It seems to me that any court or tribunal dealing with this question and interpreting it could not be blind to the fact that under the laws of Canada the charges imposed under license contracts are not charges regulated by the Parliament, but by the local provincial governments.

Mr. HEYBURN. That terminates at the line of Canada. There is a provision in the Canadian constitution regulating commerce between the Provinces of Canada; and when it is dealing with that subject it leaves no doubt of the fact that it is referring to and confining the reference to the Provinces, but when it deals with the Dominion, then those rights run to the line.

Mr. CLAPP. I do not want to anticipate the Senator, but do I understand that he is contending that this alone applies to the conditions attached by the Parliament?

Mr. HEYBURN. Yes. There is not a mention or a reference, directly or indirectly, in section 2 to the Provinces. It deals only with the Dominion. How you get a Province into section 2 I do not know.

Mr. CLAPP. Because it refers to the contractual limitations that are well known in both countries—it does not make any difference whether they are known there, but they are known here to exist in Canada with reference to the authority of the provincial governments.

Mr. HEYBURN. To do what?

Mr. CLAPP. To impose these restrictions?

Mr. HEYBURN. Oh, no.

Mr. CLAPP. And license fees.

Mr. HEYBURN. No; we have the language here, "the management and sale of the public lands belonging to the Province and of the timber and wood thereon." It acts as the agency of the Dominion in that respect.

Mr. CLAPP. But, Mr. President, we all know from our examination of contracts covering those lands and we know from the declaration of the minister of Canada that the construction which they place upon their law is that the Provinces can impose those restrictions, and surely our courts would be bound by that.

Mr. HEYBURN. I assume that the Senator has come into close contact with those contracts. I can say that in the course of my professional career as a lawyer I have handled a great many of them, because I live very close to the line and it is a very ordinary business transaction in our country; so that I have some personal knowledge of the matter. But those are contractual relations and have nothing to do with the basic right or the limitations upon the Dominion Government. The Dominion Government of Canada deals with its Provinces in an irregular or uneven manner. It will grant a right to one and withhold it from another.

Mr. CLAPP. Mr. President, this expressly says—
or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly).

It does seem to me, with all deference to the Senator—

Mr. HEYBURN. The Senator is reading from—

Mr. CLAPP. From the bill.

Mr. HEYBURN. But you must find a corresponding power in the Constitution. The bill does not fix—it is not even argumentative as to the status of the law.

Mr. CLAPP. Then I understand the Senator that in construing the bill we are wasting our time in considering the terms of it.

Mr. HEYBURN. You must certainly go to the organic law under which the bill must operate, if it operates at all, because in this legislative proceeding, while it is really an ordinary piece of legislation upon the tariff question—

Mr. CLAPP. I agree to that.

Mr. HEYBURN. There is an attempt being made all the time to construe it as a treaty. It is not a treaty because it has not been submitted to the treaty-making power of the Government for consideration. So I am discussing it entirely from the standpoint of a legislative measure, and not from the standpoint of a treaty at all. The Dominion of Canada by treaty may do many things, as we may, that can not be done by legislation.

Mr. CLAPP. That my silence may not be construed hereafter, I will say that I most heartily agree with the Senator that this is in no sense a treaty. It is just an ordinary, or rather an extraordinary, tariff bill—

Mr. HEYBURN. Yes; it is a pact.

Mr. CLAPP. An attempt to bolster up certain trusts by taking the duty off the raw material and leaving it on the trust products and leaving the people to pay the expense.

Mr. HEYBURN. Before adjournment a few days ago I called attention to this question, it being late in the day, in order that if it should catch the notice of some Senators here they might be thinking about it until the meeting of the Senate to-day. I called attention to the nature of this proposed arrangement by reading from the resolution before the Canadian Parliament a matter that I have not heard referred to, but doubtless every Senator has seen it and has had it in mind. It proposes that Canada shall be our almoner hereafter in regard to our markets. She may give them away at her pleasure.

Now, I will ask close attention to the provision, because it is in the resolution that is before the Canadian Parliament, which was introduced by Mr. Fielding in the Committee of Ways and Means. That is their medium in such matters as is the similar committee in our House of Representatives. In the second paragraph of article 2 it is provided:

That the advantages hereby granted to the United States shall extend to any and every other foreign power which may be entitled thereto under the provisions of any treaty or convention with His Majesty.

That leaves it open for the King of England, acting either on behalf of the English Government proper or acting through the Canadian agency, to make our competition in Canada so broad that we must meet the people from Italy or Abyssinia or Patagonia or anywhere else in the Canadian market on equal terms, because it reserves the right to extend the same terms to France or Germany or England or any other country.

That the advantages hereby granted to the United States—

This is another, a separate and distinct provision—

That the advantages hereby granted to the United States shall extend to the United Kingdom and the several British colonies—

That lets meat from Australia in all right—
and possessions with respect to their commerce with Canada—

We have got to meet them, and we have nothing to say about it. We do not say whether they shall come into Canada. Canada says that or the English Government says it—
with respect to their commerce with Canada: *Provided, however*, That nothing herein contained shall be held to increase any rate of duty now provided for in the British preferential tariff.

They preserve everything that they have and gather something new to them, and they take away from us all that they could possibly take away from us; that is, a protected market. They sell to us in our protected market and derive the benefits of our protective duties, but we go into their market and we sell in competition with anybody whom they may choose to admit to it on exactly the same terms. That is the favored-nation clause by legislation.

Mr. SMITH of Michigan. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. HEYBURN. Yes; I yield.

Mr. SMITH of Michigan. Mr. President, in order that we may have a little more light upon the suggestion of the Senator from Idaho, which is most pertinent at this time, I desire to read a quotation from the premier of Canada published in the Washington Star:

LONDON, June 17.

At a luncheon of the Constitutional Club, presided over by A. J. Bal-four, to-day, Sir Wilfrid Laurier, premier of Canada, told the big gathering of British statesmen and over-seas premiers that the reciprocity agreement between the United States and Canada need cause no alarm to anyone.

"Canada," he said, "wished to trade with the mother country in preference to any other land, but that did not mean that it should treat with her alone. Whatever privileges were granted to other countries would be given equally to England."

"In England," he added, "the policy of British preference has been hoisted to the top of the mast, and there it will stay, whatever Great Britain does or does not do."

There has never been in the history of the British Empire a stronger feeling of kinship among her subjects or a greater desire to work in harmony with and coordinate with the constituent parts of that Empire than exists to-day among the dependencies of Great Britain, and in no part of their vast domain, stretching from ocean to ocean, are there subjects who are encouraging with a greater degree of enthusiasm or more intelligent purpose the investment of British funds for the development of colonial industries than in the Dominion of Canada.

Mr. HEYBURN. Mr. President, I have no doubt that that extract from a newspaper correctly expresses the question from the Canadian standpoint.

Mr. BORAH. Mr. President, we might take in connection with that statement of the premier, the announcement that the farmers in western Canada declared on Saturday night that, if they did not get reciprocity, they were in favor of annexation.

Mr. HEYBURN. I have been at so many of those little joy occasions over in western Canada and in the Northwest Territory that I know just exactly how that sentiment of annexation will grow. They will talk enthusiastically and they sing "For he is a jolly good fellow," and they are for annexation there, but there is nothing serious about that kind of Canadian annexation.

Mr. BORAH. I have no doubt the spirit of joy was more prevalent this summer at the meeting of the western farmers.

Mr. HEYBURN. This question of the meeting of farmers and mechanics and these people generally resolves itself down to some small gathering of people where they do not meet perhaps for the purpose of considering this particular question. I eliminate entirely the question of annexation. I think it is just a waste of time to talk about annexation with Canada, except it is occasioned through war, which is not likely at all.

Mr. CUMMINS. Will the Senator yield to me?

Mr. HEYBURN. I yield to the Senator from Iowa.

Mr. CUMMINS. One view taken by the Senator from Idaho has interested me very much. It is not the view taken by most of those who have spoken upon the question; but if it is well founded, it is highly necessary that we understand it and know it before we act, even upon this amendment.

I may misunderstand the Senator from Idaho, but if I correctly apprehend him, it is that there is no restriction or limitation upon the export of wood or wood pulp or paper from Canada into the United States that the Dominion Parliament can not remove.

Mr. HEYBURN. There is not. There is no export duty from any Province or the Dominion of Canada affecting these questions. There is no export duty. Now, duty is one thing; license is another.

Mr. CUMMINS. Without speaking now about paper especially, the Senator from Idaho is mistaken. There is an export duty on logs from Canada into the United States.

Mr. HEYBURN. That is a license.

Mr. CUMMINS. It has all the meaning, I think, of an export duty. But I should really like to believe, as the Senator from Idaho does, that if the Parliament of Canada passes a law to that effect, then there may be the export of wood, pulp, and paper into the United States free from any of the limitations or restrictions—

Mr. HEYBURN. Of the Dominion Parliament?

Mr. CUMMINS (continuing). Put upon the management of the Crown lands by the Provinces.

Mr. HEYBURN. Yes.

Mr. CUMMINS. Is that the view of the Senator from Idaho?

Mr. HEYBURN. The Dominion Parliament has the last say. There is a most suggestive provision in the constitution here, I will, in passing, read section 132:

The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof—

Bear this in mind, because it is important—

or of any Province thereof, as part of the British Empire—

If Canada deals with foreign countries, she does it as a part of the British Empire, and she may brush aside any provincial agreement or regulation which would be valid enough if everybody acquiesced in it. But whenever the question comes whether the Government interests are to be affected by it, then this provision comes in. You see, by going back to the seat of the power, you are enabled to unravel that question.

Mr. CUMMINS. Mr. President—

Mr. HEYBURN. If the Senator will pardon me for a moment, I want to connect that up with another section. I will first read section 132 of the constitution from the beginning in order to make it clear.

The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, toward foreign countries, arising under treaties between the empire and such foreign countries.

Now, suppose this were a treaty; would there be any question that such a power behind these Provinces could absolutely control them?

Now, another provision here in connection with that:

The customs and excise laws—

Now, that log law would come under that excise probably.

Mr. CUMMINS. The export duty.

Mr. HEYBURN. It is not an export duty. They use those terms, of course, without regard to the strength of them. They call an excise duty an export duty perhaps, or anything without regard to its technical meaning.

Now, here is section 122:

The customs and excise laws of each Province shall, subject to the provisions of this act—

That is the other provision I have just read—

continue in force until altered by the Parliament of Canada.

No one can contend that under the constitution of Canada the Dominion Government can not grant power to a Province to make an excise law. She can grant power to the Province what may be called the equivalent to an excise law. But the power that grants it can take it back.

Until altered by the Parliament of Canada.

These things exist—

Mr. CUMMINS. Mr. President, may I call the Senator's attention to Schedule A, which is attached to the correspondence between the departments of the two Governments?

I will not even read the entire paragraph I have in mind, but I simply bring it to the attention of the Senate. It is the one which says that—

Provided, That such paper and board, valued at 4 cents per pound or less, and wood pulp, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly) shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

Now, those are the conditions which stand in the way, if this bill were to go into effect, of the full and free admission of wood, pulp, and paper into the United States from Canada. I want to be sure that I understand the Senator with respect to it. I do understand he says that if the Parliament of Canada desired to do it it could at any moment pass such a law as would

remove all such limitations, restrictions, or regulations referred to in the paragraph which I have just read.

Mr. HEYBURN. There is no government, that I know of, which has the power to make a law which has not the power to repeal it.

Mr. CUMMINS. So that the Senator from Idaho understands that it is the Dominion Parliament which stands in the way—

Mr. HEYBURN. Yes; because it does not want to—

Mr. CUMMINS. Of complete free trade between the United States and Canada in wood, wood pulp, and paper?

Mr. HEYBURN. Yes; because she expresses a desire not to disturb the contractual relations which she has made with her Provinces. But that does not mean she has not the power to do it. She prefers not to do it.

Mr. CUMMINS. How does the Senator from Idaho reconcile that with this sentence in the letter of Messrs. Fielding and Paterson?

They—

referring to these restrictions—

They have been adopted by several of the Provinces with regard to what are believed to be Provincial interests. We have neither the right nor the desire to interfere with the Provincial authorities.

Mr. HEYBURN. It does not say they have not the "power." They differentiate there and use the word "right," a very cautious one, because they have already enumerated the method by which these arrangements were made. They were made with the consent of the Dominion Government, which, of course, could be taken back, because it is not in the shape of a constitution, and if it was they could repeal the constitution granted to the Province.

Mr. CUMMINS. Will the Senator allow me to finish the sentence?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Yes. I beg pardon if I have interrupted.

Mr. CUMMINS (reading)—

We have neither the right nor the desire to interfere with the Provincial authorities in the free exercise of their constitutional powers in the administration of their public lands.

Mr. HEYBURN. That is, of course, a general statement. It is not directed to any point. It is a general statement when it refers to that. They have not a moral right, perhaps, to abrogate a contract. But they have the power. They can, of course, repeal a constitutional provision of the Province because they make the constitutions for the Provinces.

Mr. CUMMINS. The Dominion Parliament can not repeal the act of 1867.

Mr. HEYBURN. That came from the English Parliament.

Mr. CUMMINS. Precisely. Permit me to read and emphasize the section which was called to the Senator's attention by the Senator from Minnesota, and I say frankly—

Mr. HEYBURN. I have it before me.

Mr. CUMMINS. I say frankly, if the Senator from Idaho could convince the Senate that it lies within the power of the Dominion Parliament to remove all these restrictions, the inference would be inevitable that whoever made this agreement has not been dealing fairly and frankly with the American people.

But now allow me to read. Section 92 says:

In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is, to say—

Now, if I understand that correctly, it is that the Dominion Parliament is excluded entirely from the powers that are herein enumerated.

Mr. HEYBURN. Yes.

Mr. CUMMINS. Coming, then, to the fifth paragraph—

Mr. HEYBURN. The original Provinces.

Mr. CUMMINS. Coming to the fifth paragraph, we read:

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

I have always thought—

Mr. HEYBURN. What Provinces?

Mr. CUMMINS. The Province; whatever Province is exercising the power here referred to—

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

Now, I do not believe that the Parliament of Canada can repeal or regulate or control the action of the Province in dealing with the sale and the management of the public lands or the timber or the wood upon those lands.

Mr. HEYBURN. It does not say anything about "action."

Mr. CUMMINS. Mr. President—

Mr. HEYBURN. The Senator has interpolated the word "action" there. This simply says that they may make laws with reference to—

The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

That is to say, they may make laws as to the terms and conditions upon which they may be sold. But that has nothing to do with exports or imports.

Mr. CUMMINS. I am just coming to that. The management and sale of timber upon the lands belonging to the Provinces.

Mr. HEYBURN. Now—

Mr. CUMMINS. Now, suppose that the Province of Ontario should make an agreement or pass a law under which an agreement should be made with the Senator from Idaho, providing that no part of the timber cut from the land so granted to him should be exported to the United States or any other country and that no part of the wood pulp which might be manufactured out of the wood should be exported and that no paper which might be the product of the wood should be exported. Does the Senator from Idaho believe that the Parliament of Canada could repeal or override the agreement or the contract so made?

Mr. HEYBURN. If the English Parliament or the English Government had made that limitation—

Mr. CUMMINS. I am speaking now of the limitation made by the Province.

Mr. HEYBURN. That was not made by the Province. That was made in favor of the Provinces named—four:

The following provisions of this act respecting the Parliament of Canada, namely, the provisions relating to appropriation and tax bills, the recommendations of money votes, the assent to bills, the disallowance of acts, and the signification of pleasure on bills reserved, shall extend and apply to the legislatures of the several Provinces as if those provisions were here reenacted and made applicable in terms to the respective Provinces and the legislatures thereof, with the substitution of the Lieutenant governor of the Province for the governor general, of the governor general for the Queen, and for a secretary of state, of one year for two years, and of the Province for Canada.

That is as to the four Provinces; that is, Nova Scotia, Quebec, Ontario, and New Brunswick; and those are Provinces which are expressly named to which these provisions apply.

Then there was the unorganized Northwest Territory, which came in; they were authorized to admit it very much as our Government is authorized to create new States.

Mr. CUMMINS. They have been admitted since 1867.

Mr. HEYBURN. That is what the constitution was framed for—for the purpose of bringing them in under the course commenced in 1864 and consummated in 1867.

Now, that was the only territory subject to these laws until new Provinces were organized out of the unorganized territory, subject to just such limitations as our Territories were. And then Canada, not England, admitted these new Provinces, not acting through the English Parliament, but acting through her own Dominion Parliament, and she placed the restrictions upon them, and they are entirely different from those placed upon the original four Provinces.

Mr. CUMMINS. I am speaking, of course, of the act of 1867—

Mr. HEYBURN. You have to divide the territory to apply that.

Mr. CUMMINS. Which is the constitution, as the Senator from Idaho very well states—

Mr. HEYBURN. Yes.

Mr. CUMMINS. And in it it is declared that in each the legislature—that is, in all the Provinces which make up the Dominion of Canada—

Mr. HEYBURN. Yes; those four.

Mr. CUMMINS. The legislature may exclusively make laws in relation thereto.

Now, I come along to section 5, in relation to the management and sale of public lands belonging to the Provinces and of the timber and wood thereon. If the Province has the exclusive right so to legislate, so to manage, so to sell, it seems hard for me to believe that the Dominion Parliament can repeal the laws the Province has so made and abrogate the contract which has been entered into under existing laws.

Mr. HEYBURN. That was a power of legislation within the Province. The preceding pages indicate that clearly.

Now, I ask the Senator's close attention to this: To indicate clearly that they were not dealing with the question of the regulation of trade and commerce outside of the Province, we find in the preceding section they had first dealt with the power of the Government to regulate commerce and trade as we do in the Constitution.

Having disposed of that, now we come to the regulation of internal affairs, and in the next section, 92, they take up that

question—as to the regulation of internal affairs—and provide, properly, that it shall be done through the internal machinery of the Government. Here they were dealing with Dominion power and Dominion machinery of the Government; and they disposed of them completely. Then they come to the next—the heading of it being “Exclusive Powers of Provincial Legislatures.” They had already parted with or located the power to regulate commerce and trade—trade and commerce; they just reverse the language of our Constitution.

Mr. CUMMINS. I will not interrupt the Senator—

Mr. HEYBURN. I thought this ought to appeal to the Senator.

In making laws for a great country they first deal with the country itself. Our Constitution does. It deals with the country as a single organic proposition. When it has disposed of that it takes up the subdivisions of it and deals with the Provinces. Now, following that, it deals with the Territories; following that, with the unorganized territories. That is the ordinary procedure.

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. NELSON. Will the Senator allow me to correct, I think, a misstatement or misapprehension?

It has been stated that this North American act, really the constitution of the Dominion of Canada, included only the four Provinces which were created at the time.

Mr. HEYBURN. Yes; and it names them.

Mr. NELSON. And then it provides that the others can be admitted only by Canada.

Now, let me read the next to the last paragraph of this act:

146. It shall be lawful for the Queen, by and with the advice of Her Majesty's most honorable privy council—

That is the privy council of England—

on addresses from the Houses of the Parliament of Canada and from the houses of the respective legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the union, and on addresses from the Houses of the Parliament of Canada to admit Ruperts Land and the Northwestern Territory.

Ruperts Land and the Northwestern Territory are now what constitute the three Provinces of Alberta, Saskatchewan, and Nova Scotia.

Mr. HEYBURN. Is the section the Senator is reading 147?

Mr. NELSON. No; 146.

Mr. HEYBURN. Well, there is another section—

Mr. NELSON. Will you allow me to finish the statement?

At the time of the admission there were Canada—known as Upper and Lower Canada—and Nova Scotia, and New Brunswick. Canada was by this act divided into the Provinces of Ontario and Quebec. Upper Canada was called Ontario and Lower Canada Quebec. And, then, there were New Brunswick and Nova Scotia. They were in the union originally, and the others have been put into it on a par exactly with the other Provinces. They are all in it, except the Province of Newfoundland, which is outside, which never entered into the Dominion.

Mr. HEYBURN. There is the difference between our Constitution and Canada's. They are not required to be all on the same footing.

Mr. CUMMINS. This history is very interesting and important, too, but—

Mr. HEYBURN. It is essential absolutely to be considered.

Mr. CUMMINS. But I do not wish to drift away from the question I rose to propound. We find here a constitution which the Senator from Idaho well says is a constitution of grants. That is, the powers of the Provinces bear close relation to the powers granted to the United States. You must find in the constitution the powers exercised in order to warrant the Province in exercising them.

Now, we find here a power, and it is an exclusive power, granted to the Provinces, to legislate with respect to the management and sale of the lands of the Provinces and the wood timber thereon. It seems to me that under such a grant it would be legally or constitutionally impossible for the Parliament of Canada by her own act to withdraw the powers that had been granted to the Provinces or to overrule or repeal any legislation which the Provinces had made within those powers.

Mr. HEYBURN. I do not contend that she can. But let us get back on to the track.

Mr. CUMMINS. I will get you back or I will get myself back by asking this question finally: The Senator from Idaho, upon a review of the whole matter, believes, and he asserts, that if the Dominion Parliament were to-morrow to pass a law removing all limitations and restrictions which prevent the free

export of wood, pulp, or paper into the United States the act would be valid?

Mr. HEYBURN. Yes.

Mr. CUMMINS. And would accomplish its object?

Mr. HEYBURN. Yes; it can do it either by act or by treaty.

Mr. CUMMINS. And therefore the proposition of the Dominion of Canada to defer our entrance into Canada until all the Provinces act or until, at some future distant day, wood and pulp and paper are put on an equality with our wood and pulp and paper is a mere pretense.

Mr. HEYBURN. Well, just call it a subterfuge, because that is what it amounts to.

Mr. CUMMINS. Subterfuge?

Mr. HEYBURN. Or whatever it may be called.

Mr. CUMMINS. I see now the Senator's position. I did not—

Mr. HEYBURN. The Senator sees it pretty near. I think I can open the door entirely.

We have in this country a case somewhat in point. Texas reserved in the treaty the power to dispose of her lands. Texas came to us by treaty, and she is given the power to regulate the sale of lands and of the timber thereon. Could she put an export duty on the timber or anything connected with it?

Mr. CUMMINS. I am not prepared—

Mr. HEYBURN. It points the idea.

Mr. CUMMINS. I should say, instantly, no; because the Constitution of the United States forbids any State from doing any such thing.

Mr. HEYBURN. No; the Constitution does not forbid it, but it retains to itself the power to do that thing; and the thing which the Constitution retains the right or the power to do can not be exercised by anybody else.

Mr. CUMMINS. That is the exact equivalent of what I said. The exclusive power to do those things, as levying duties on imports, is conferred upon the Federal Government.

Mr. HEYBURN. I will ask the Senator—

Mr. CUMMINS. Before the Senator from Idaho further speaks—I am going to sit down after I read this—I want him to have in mind section 109 of the act of 1867, which provides that:

All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia, and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals, or royalties—

Mr. HEYBURN. That merely goes to the title to the land.

Mr. CUMMINS. (reading)—

shall belong to the several Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same are situate or arise, subject to any trust existing in respect thereof, and to any interest other than that of the Province in the same.

Mr. HEYBURN. That does not get within a mile of the question we are discussing.

Mr. CUMMINS. I think the Senator ought to have the full title of these lands before him—

Mr. HEYBURN. I have it right here.

Mr. CUMMINS. When he speaks of the powers of the Provinces.

Mr. HEYBURN. It can not be successfully contended that the power to manage a piece of real property—and that is all this amounts to—carries with it the power to levy an export or import duty or to exercise any other kind of a governmental function. That certainly does not need to be supported by any argument. We have those cases in point in our own country, and no one has ever contended they would have the right to control those duties.

Mr. CUMMINS. The Senator is rapidly convincing me; but the whole legislation of the last session respecting paper and of this session respecting paper seems to have been bottomed on the idea that there were valid limitations and restrictions over there that the General Government of Canada could not remove.

Mr. HEYBURN. I always object to bringing in the question of personal equation, but I have been talking with Canadians and Americans since last winter in regard to the matter, and I have listened to what we on this side call “bluffs,” and their statements that “the Dominion Government will always protect the Province in its own rules and regulations and will not undertake to control us,” and all that kind of talk.

I have here a letter in this morning's mail, by the way—one of them—from a man who objects to the expression I used the other day which was as true as the Gospel, that whatever political rights we ever got from England we received on the point of a bayonet. That stirred him up to write to me about this. I am fortunate in having a considerable acquaintance on that side of the line and considerable clientele there, and I know

something of how they feel. They use those laws as a bludgeon to defend themselves, not against the imposition of others but to afford them an excuse for not doing something. They say, "It can not be done because the legislature last winter passed a certain act," and if they have not passed the act they will see that it does in order to bear them out.

The management of property does not carry with it that right. I do not care whether it is in the hands of a Province, or an individual, or the Government itself; it is the lordship, the lord of the fee, so to speak, applying our relative terms, who does these things. Some of them it can delegate; some it can not. Canada can only delegate power within the license given it by the act of 1867. England can delegate power to whom it pleases, because it has no constitutions to limit it. Our Government can not delegate power except within the limit of the permission contained in the contract of the Constitution. The right to exercise power is an affirmative right. When it comes to a government the right of a State is not the government of the highest character. It can be a definite power conferred upon a State that authorizes it to act upon matters in which the General Government is concerned.

Mr. CUMMINS. May I ask one more question?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. Suppose the Senator from Idaho owned 160 acres of timberland, and I were trying to secure from him the right to cut it and remove it, and the Senator from Idaho would attach as a condition to the sale of the timber that I must convert it into lumber upon the land from which it is cut.

Mr. HEYBURN. That is purely contractual.

Mr. CUMMINS. That, however, is a valid contract. The Senator from Idaho admits that?

Mr. HEYBURN. Yes; I have seen those contracts.

Mr. CUMMINS. If the Provinces have entered into such contracts, in substance, with persons who are taking timber from these lands, I take it the Dominion Parliament could not abrogate those contracts. But the Senator's idea is that the Parliament could prevent the Provinces from entering into any more of them.

Mr. HEYBURN. Yes; or you declare that after a certain date no such contract should be made. We have instances of that in our own legislation, where after a certain date no contract within certain prohibitions should be made. That is the position, I take it, in regard to this matter. But I am not going to vote for the Root amendment because I am opposed to reciprocity. Section 2 is not a reciprocal measure, and no one has contended that it had anything in it of the character of reciprocity. However, if you are to say the Root amendment uses reciprocity, I am not in favor of it. Of course, if I wanted to use it as a bludgeon that would be another proposition, but I am not in a belligerent mood and I am not going to vote for an amendment like that because it might hurt somebody.

It has been held up to us here for weeks and months that you could not do it because, forsooth, some Province would bar your way. Since I read the constitution of Canada I have not been at all influenced by that statement.

By the way, I find here a memorandum I made with reference to the question we have had under consideration here. Speaking of these exclusive rights that the Dominion Government gave to the Provinces it says:

The legislatures of the Provinces and of the Dominion possess concurrent jurisdiction on many subjects, because the Dominion has given them jurisdiction concurrent with itself; and it is provided that in the contingency of a conflict of legislation between the Dominion and the Provinces, the laws of the Dominion shall prevail. Although the powers of government have in this manner been definitely portioned out, there has been no lack of intrusion on the part of either party into the sphere of the other. On such occasions, where compromise has been found impossible, the principle of the superior authority inherent in the central government has been adhered to.

In the management of litigation in that country it is not at all infrequent that we find a conflict between the Dominion authority and the territory. I always speak of the provincial authority. They were not Provinces when I knew them; they were mere territories; but the local authority was frequently in conflict with the Dominion authority, each contending for that which was favorable to them, but always the Dominion authority prevailed, and properly so.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. When the Senator made the statement the other day I was very much inclined to agree with his construction of the Canadian act, but I am not entirely certain that I now understand the Senator's position. Does the Senator from Idaho think that, notwithstanding the provision of the

constituent act, which gives to the Provinces named exclusive power to sell and manage their land and the wood grown thereon, if the Provinces under that power should undertake to say that wood grown upon the land could not be exported to the United States, the Dominion Parliament could set that provision aside under the power which the Dominion Parliament has to alter the customs and excise law?

Mr. HEYBURN. Yes; I say not only under that authority, but under the regulations, a purely local one within the Provinces.

Mr. SUTHERLAND. Let me suggest to the Senator from Idaho that the customs and excise laws are taxing laws. We have the same expression in our own Constitution. Those words are used with reference to the taxing power.

Mr. HEYBURN. Certainly; as distinguished from duties.

Mr. SUTHERLAND. But we also have in our Constitution a provision which gives Congress the power to make rules and regulations respecting the territory of the United States and to dispose of the public lands.

Mr. HEYBURN. That is not an excise law. That is an act of sovereignty.

Mr. SUTHERLAND. That is exactly in line with what I was going to say. It is not a customs or excise law when we pass a law under that power. When the Provincial Parliament passes a law for the purpose of regulating the sale or management of its lands or the wood arising therefrom, that is an act of sovereignty on the part of that Provincial Government.

Mr. HEYBURN. No.

Mr. SUTHERLAND. If the Senator will hear me through, that is not a taxing law at all. The question I wanted to submit to the Senator was, Can the Dominion Parliament control the sovereign power of the provincial government to sell and manage its lands under a taxing power?

Mr. HEYBURN. The same as we do it under the Carey Act. There is the point. You see, the Government having the sovereign power, delegates it to the State to sell and make the deeds under the Carey Act. There is no difficulty about the legal proposition, because this limits it to the things that the State may do, and the States here have no rights except those expressly given.

Mr. SUTHERLAND. The provincial government under that power could decline to sell any of the wood grown upon the public lands at all if they desired to do it, could they not?

Mr. HEYBURN. No; the right to regulate a thing does not at all mean that you may abolish it.

Mr. SUTHERLAND. The exclusive power to sell or to manage is vested in the provincial government. Under that exclusive power it may withhold from sale.

Mr. HEYBURN. No; it may not. This says the management and sale. When the power is given to sell a thing it does not carry with it the power to sell it.

Mr. SUTHERLAND. Let me grant that. The power to sell certainly includes the power to sell to whomsoever the person having the power chooses to sell.

Mr. HEYBURN. Oh, yes; so as not to defeat the purpose of the lord of the fee.

Mr. SUTHERLAND. Could not the provincial parliament decline to sell to another government if it desired to do so?

Mr. HEYBURN. They do not sell to the Government.

Mr. SUTHERLAND. To sell to the people?

Mr. HEYBURN. It is not the Government that sells to the people. It comes from the person who buys the claim under the Government. Canada does not cut off the wood. They grant a license to cut it or sell the land to a purchaser. It is purely an individual and contractual relation.

Mr. SUTHERLAND. I quite understand that, but the Provincial Government by its laws has the power exclusively to control the sale.

Mr. HEYBURN. The Government does not buy it.

Mr. SUTHERLAND. The Senator has not heard me through. I have not intimated that.

Mr. HEYBURN. I beg the Senator's pardon.

Mr. SUTHERLAND. I say a provincial government having exclusive power to manage and sell the wood grown upon these lands would have the power to sell to whomsoever it pleases.

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. Would it not have the power to decline to sell to the people of some particular Government if it desired to do so?

Mr. HEYBURN. That is possible; but I do not see how it enters into this question.

Mr. SUTHERLAND. I think it enters exactly into it.

Mr. HEYBURN. In the first place, the Government does not sell the land at all. The Government gives the man the right to earn this land.

Mr. SUTHERLAND. If it has the power to decline to sell to the people of this Government, then has it not the lesser power to decline to sell upon conditions or to say that a certain license shall be paid before it shall be cut for sale?

Mr. HEYBURN. A license is a hire; it is not a sale. When the word "sale" is used, it can not be construed to include that kind of a departure by title. A license is a right to use a thing. A sale parts with the title; it severs the title from the lord of the fee in whatever shape it may be. The Government had in the previous section disposed of the thing Senators are arguing for. There are just one of two conclusions, either section 91 does not apply to foreign trade and commerce or else article 5 of section 92 has no application one way or the other. When the constitution, proceeding in an orderly manner, has disposed of one question and passes to the next, you can not ingraft the second question upon the power that is dealt with in the first.

I do not care whether any export duty is charged or not, and I care not whether an import duty is charged, it is foreign trade and commerce that regulates the passing of commodities between the countries. Whether upon the payment of dues or not, it is commerce, because the value of the article itself is being transferred. That is of more importance than the price that you pay for transferring it from one to the other. That is the commerce that is referred to in section 91, and the question is there disposed of and closed. Then it passes to the consideration of domestic affairs. It is only in connection with domestic affairs, so far as section 92 deals and provides, that the Provinces may regulate them. Those Provinces charge each other for certain privileges, but whenever it comes to giving the rule under which the commodity crosses the border, then the Dominion of Canada, subject even now to the Crown of England, regulates that so far as they are concerned, and our Government so far as we are concerned. It would be a very grave mistake to conclude that the provisions for domestic commerce in any manner influenced or governed the subject matter under consideration through this bill. You could not make a graver mistake, and I trust that Senators will give it the closest attention. If we are governed by a wrong rule, we will reach a wrong conclusion in this case.

Now, I want to resume on the point I was discussing just for a moment before I close, and I have spoken longer than I had any intention of doing. I want the attention of Senators to this provision. While I have read it once, yet I do not at all times feel that I have the attention of all Senators. I say that this provision sends us into the markets of the world to compete with anyone without charge or price on their part, because it says that whatever privileges are given to the United States under this bill or treaty, or whatever you call it, the same shall be extended to any other country. That is the most-favored-nation clause by legislation instead of by treaty. The language of it is unequivocal. Canada wanted to keep her net out for the whole sea and confine us to some little bay of the St. Lawrence River, and she says that the advantages hereby granted to the United States, after referring to them by schedule, shall extend to any and every other foreign power which may be entitled thereto under the provisions of any treaty or convention of His Majesty. That gives England the power to open wider the doors of free trade in Canada. That is the market we are to sell in, and the market they are to sell in is one that is guarded by protective tariff duties against all the world. We give them a protected market to sell in and they give us a world-wide competitive market. We will sell our meats in Canada, if we sell them, in competition with the colonial Provinces of England, Australia, or any other Province that she has to-day, or may have; and she is not confined to existing conditions that she may make.

What kind of a business proposition is that? Is there a business man in the world who would enter into such a proposition as that? His neighbor says: "You may graze your cows in my pasture for a consideration," and he thinks he is going to have pasture for his cows. He goes and finds cows from Germany, France, Holland, and every other nation there grazing. He says, "Where are my cows going to graze?" They will take their chance, he is told, in this field. You make a contract, and in lieu of this privilege which you supposed you had, you say they may graze here, and they come over and find no German, or French, or European, or Asiatic cattle sharing the pasture with them.

That is this much lauded and boasted reciprocity which is disguised here under the name of a bill, or the bill is disguised under reciprocity, it matters not which. You are proposing to attach the Root amendment, which simply makes it more of a reciprocal trade agreement, takes it out of the tariff schedule

and makes it an ordinary reciprocal arrangement. You let my paper in and I will let yours in.

I shall have to vote against the amendment. As I said, if I were to be actuated by the spirit of destruction I would vote for it in order to make it more obnoxious, but I think probably that the responsibility for this legislation will find a resting place. It will be in the plain open view of the American people, and they will know just where to go out with their scalping knife and tomahawk.

Mr. SMITH of Michigan. Mr. President, I simply want to put into the Record a few thoughts that have come to me from a source so authoritative that I have no hesitation whatever in quoting them. I desire the Senate to know that we have about \$22,000,000 invested in paper making in the State I have the honor in part to represent, and the thriving city of Kalamazoo alone has nearly \$10,000,000 invested in paper making.

Michigan has a growing and ample supply of suitable wood from which to continue the successful operation of its present equipment of modern and extensive paper mills, as well as many others which may be added. Any of the hardwoods as well as all of the varieties of the soft woods grown in our State are well suited for the manufacture of book papers and the other grades of paper made in the Michigan mills.

I think I am clearly justified in stating that the production of paper might be increased fivefold, and if the mixed woods of our forests were used to manufacture the soda pulp with which to exclusively provide for the needs of all our paper mills ample wood for the purpose could be secured at a cost of not above \$5 per cord delivered at the mill. This, too, without any limitation as to time. In this estimate I am not including the virgin forests of the northwestern portions of the upper peninsula. As much more could be said of that portion of our State.

While at present Michigan is not a large producer of paper made from mechanical pulp, chiefly because of lack of developed water power with which to grind the wood, the increase in the manufacture of this lower grade—news print—might be readily justified, so far as the local supply of pulp wood is involved.

We have the possible water power with which to develop that special line of paper making.

The Newspaper Publishers' Association sets forth as the chief reason for its demand for the free entry of Canadian paper the scarcity of pulp wood in the United States. Let me cite briefly some facts as to the pulp-wood supply at present standing in our Nation and the present consumption for paper manufacture. Maine has 40,000,000,000 feet, or 80,000,000 cords, of standing spruce. The annual growth of this is from 3,000,000 to 4,000,000 cords.

The total United States consumption of spruce for newspaper is about 1,500,000 cords annually—less than half of the growth in Maine alone.

The total stand of spruce stumpage in the United States of America is not less than 150,000,000,000 feet. The growth annually in our spruce is about 5,000,000,000 to 6,000,000,000 feet, or 10,000,000 to 12,000,000 cords. The entire consumption for all grades of paper made from wood in our Nation is less than one-half of this growth.

This puts paper making exclusively on a spruce-wood basis, while the truth is two-thirds of all of the paper we make can be and ought to be made from other more easily accessible, very much cheaper, and quite as desirable woods.

New York, New Hampshire, Vermont, Montana, Colorado, and notably Washington and Oregon have large spruce forests, and, accessible to tidewater, in that treasury of natural wealth, Alaska, there is such a growing supply of choice spruce as to deter me from submitting an estimate of its extent.

If any one of six States of the South, awakened from the dreams of free tradeism, should take up the manufacture of paper, their growth of timber would be ample to supply all the wood paper used in the United States.

Added to the forest wealth of the States of the South they have the chemicals and clays and coal to complete the formula for paper making.

The paper-mill industry in the State of Michigan is yet in its infancy; forests and men and money are ready to contribute abundantly as the demand for paper increases, but this Canadian agreement is a menace, a serious menace, to even the successful continuation of the mills now established.

Mr. President, I am not going to supplement that statement, which I regard as very important. It comes from a man very familiar with this industry. It shows the possibilities upon our own soil. It renders our crossing over into a foreign State absolutely unnecessary. There is not a single man who will be engaged in making paper in Canada who will employ the

American carpenter or bricklayer or mechanic or the farmer of our own country. It is perfectly idle for us to contribute in any way toward the transfer across the boundary of an industry so important to our people.

But, Mr. President, if the product of Canada is to come in here free, then I at least desire to have the product of our own mills go into Canada free. It may be that the time will come when the utilization of the tremendous water power of the St. Marys River and other water power on the Canadian border may put us in a position where we may contest, upon equal terms, with the manufacturers of paper in Canada. For that reason, not because I believe in the merits of this bill, which I condemn from the first word to the last as harmful to the people of this country and calculated to imperil our now friendly relations with the world. But if the products of Canadian labor in the paper mills of that empire are to come here free, I should like to have American labor in our own mills given the opportunity to contest with them upon equal terms upon their own soil.

Over \$20,000,000 is now invested in paper making in the State of Michigan alone, and are you to catch this American industry by the throat and hold it until Canadians shall take possession of this market and weaken or destroy this important domestic industry employing thousands of our own citizens? I protest against it—

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. SMITH of Michigan. Certainly.

Mr. GALLINGER. Not only do some of us believe, Mr. President, that this bill, if it becomes a law, will practically transfer the manufacture of paper from this country to Canada, but it is well for us not to lose sight of the fact that there are about 70 concerns in the United States manufacturing paper-making machinery. They have a capital variously estimated at from ten to twenty million dollars invested in that enterprise. If the manufacture of paper goes to Canada, that great invested capital will necessarily be greatly injured if not entirely destroyed. So we alone have a loss that we can not compute by the transfer of the manufacture of paper across the border.

Mr. SMITH of Michigan. I agree with the Senator from New Hampshire entirely. He supplements what I have said with reference to the unwisdom of permitting manufactured paper to come into this country free.

Mr. President, I desire to put into the Record the names of various paper manufacturing institutions in the State of Michigan, with the capital invested by each. I ask unanimous consent that this statement may be printed in the Record as a part of my remarks, with a letter from Mr. N. H. Stewart, of Kalamazoo, Mich., who prepared this report and has summarized most apt strong objections to the passage of this pact.

The PRESIDING OFFICER. Without objection, consent will be granted.

The matter referred to is as follows:

KALAMAZOO, MICH., May 1, 1911.

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: For your information and the information of other Senators, I hand you herewith information embracing the number of paper mills in the State of Michigan, the amount of capital, the number of men employed, and location of same; and, in the names of all the workmen—the stockholders—which includes men, women, and orphan children. I protest against the ratification of the agreement between the United States and Canada, which has for its purpose unrestricted competition in this line of manufacture. In Kalamazoo alone we are considered the largest manufacturers of paper in the world, and the existence of our industry is seriously threatened by the passage of the legislation now pending before the Senate. We hope and pray that those in charge of this measure may come to view the disastrous results which are sure to follow in the same light as we see it. We sincerely hope that we may continue to enjoy the same uniform treatment from the Government of the United States as is extended to other lines of American enterprise and employment.

Yours, very truly,

N. H. STEWART.

Allegan County:	
Dayton Folding Box Co., Allegan	\$300,000
Babcock Tissue Paper Co., Otsego	200,000
Bardeen Paper Co., Otsego	600,000
MacSimbar Paper Co., Otsego	400,000
Michigan Paper Co., Plainwell	600,000
	\$2,100,000
Alpena County:	
Fletcher Paper Co., Alpena	300,000
	300,000
Clair County:	
Capac Paper Co., Capac	300,000
	300,000
Cheboygan County:	
Cheboygan Paper Co., Cheboygan	400,000
	400,000

Kent County:	
Childsdales Paper Mills, Childsdales	\$300,000
American Box Board Co., Grand Rapids	400,000
	\$700,000
St. Joseph County:	
Constantine Board & Paper Co., Constantine	300,000
Eddy Paper Co., Three Rivers	300,000
Michigan Box Board Co., White Pigeon	450,000
	1,050,000
Wayne County:	
Detroit Sulphite Pulp & Paper Co., Detroit	500,000
	500,000
Genesee County:	
Flint Paper Mills, Flint	300,000
	300,000
Jackson County:	
Michigan Bag & Paper Co., Jackson	300,000
	300,000
Kalamazoo County:	
Bryant Paper Co., Kalamazoo	3,500,000
Kalamazoo Paper Co., Kalamazoo	1,500,000
King Paper Co., Kalamazoo	1,200,000
Monarch Paper Co., Kalamazoo	800,000
Standard Paper Co., Kalamazoo	600,000
Western Board & Paper Co., Kalamazoo	350,000
Riverview Coating Mill	200,000
Lee Paper Co., Vicksburg	1,200,000
Kalamazoo Parchment Co., Kalamazoo	100,000
	9,450,000
Menominee County:	
Marquette & Menominee Paper Co.	300,000
	300,000
Monroe County:	
The Boehme & Rauch Co., Monroe	500,000
Monroe Binder Board Co., Monroe	300,000
Monroe Paper Co., Monroe	300,000
River Raisin Paper Co.	500,000
	1,600,000
Alger County:	
Munising Paper Co., Munising	600,000
	600,000
Muskegon County:	
Muskegon Paper Co., Muskegon	300,000
	300,000
Berrien County:	
Mullen Bros. Paper Co., St. Joseph	200,000
French Paper Co., Niles	600,000
Niles Board & Paper Co., Niles	600,000
Watervliet Paper Co., Watervliet	400,000
	1,800,000
Oakland County:	
Barnes Paper Co., Rochester	200,000
	200,000
Washtenaw County:	
Peninsular Paper Co., Ypsilanti	300,000
	300,000
Emmet County:	
Pear River Paper & Bag Co., Petoskey	300,000
	300,000
Total (in Michigan)	
	20,800,000
All Michigan paper plants	
	20,800,000
In Kalamazoo alone	
	9,450,000
Michigan outside of Kalamazoo	
	11,350,000

Mr. GALLINGER. Mr. President, the Senator from Michigan has stated the magnitude of this interest in his State. I want to call attention to what this means to the little State I in part represent.

Two years ago, on the 19th day of June, 1909, I discussed this question at considerable length, which I am not going to do on this bill. I then called attention to the fact that New Hampshire had 28 paper mills, the estimated capital being \$16,000,000; the number of wage earners, not including operations in the woods, 4,000; that the wages paid annually were \$2,000,000; the value of products about \$10,000,000; that the yearly capacity of the mills was—of paper, 200,000 tons; of ground wood, 200,000 tons; of sulphite, 150,000 tons, having 40,000 horsepower; and that the timberlands owned by the paper makers in the State aggregated 700,000 acres. And I observed, Mr. President, which is a fact, that the timberlands could not be conserved unless the industry is on a profitable basis. New Hampshire ranks seventh in capital and output among the States manufacturing paper.

Mr. President, I wanted to reproduce these figures in this debate to show that some of us, at least, stand for the industries of our own States, being unwilling that under what we conceive to be a foolish notion that we have got to do something for Canada, so as to be on good relations with Canada, that will be destructive to interests that we, as representatives of those States, are bound to preserve if we can.

It is said, Mr. President, that this amendment, about which there is a great difference of opinion, is not to prevail, and I do not know whether it is or not. I regretted that the author of the amendment, the advocate of it, should have conceded that at the start. It is not a very good way to pass an amendment or a bill. For myself, I believe that the amendment is a proper one, and I hope it will be incorporated in the bill; but whether it is or not, whether it wins or loses, I look upon it as my duty, as a believer in the doctrine of protection, which the Repub-

lican Party has held to so tenaciously all through its history, believing firmly that this legislation is all wrong, one sided, and unjust to our own people, to vote against the bill; and I shall take great pleasure in voting against it when it comes to its final passage. Just here, Mr. President, I will say that I do not care how soon that is to be. If it is, as I said the other day, ordained that the protective policy is to go down under a sentiment that has grown up in this country of late years, if it is ordained that this pact with our neighbor on the north shall become an accomplished fact, then I see no reason why we should very long delay the evil day.

I hope, Mr. President, that as the debate progresses we may gain converts, but I have very little expectation, from what I know, that we are going to gain votes enough to defeat this measure. As I have before said, that being the fact, I do not see any special gain in remaining here during the coming months of the summer discussing this question, which already has been so abundantly discussed. Let us in the near future vote on this bill, and on all the other bills that are before the Senate, and, for good or for bad accept the will of the majority, adjourn this Congress, and go to our homes.

Mr. CRAWFORD. Mr. President, just a word in reference to the pending amendment. Two years ago, when we were considering the paper schedule in the Payne-Aldrich tariff bill, I voted against an amendment which proposed to reduce the tariff on print paper, as I remember, to \$2 per ton, because the evidence seemed to indicate that that amount did not cover the difference in the cost of production in the two countries. It might seem that, in order to be consistent here now, my vote should be in favor of the Root amendment; but as I intend to vote against that amendment I feel that a word of explanation is proper.

I shall vote against the amendment because it is put upon the ground that it is necessary in order to restore this bill to a fair compliance with the agreement entered into between the representatives of Canada and the United States, and on the ground that we ought not to change that agreement in the slightest particular by crossing a "t" or dotting an "i." I do not believe that. I think we ought to amend it in a great many particulars, and I am not in favor of standing by the proposition that this amendment should be adopted because we are opposed to changing the original agreement.

It seems that in the bill as it passed the other House and as it is before the Senate the original agreement has been changed by section 2, and materially changed—changed because those interested in free newspaper print paper wanted it changed and did not hesitate to entirely set the agreement aside in order to change it; but when we propose some change that will in a small way compensate the farmer, whose products are being placed on the free list, we are told "No; this agreement must not be changed, not by the crossing of a 't,' nor the dotting of an 'i.'" Because I am not willing to support any such position as that, and because this proposed amendment is offered on the theory that it is going back to the agreement to preserve it sacredly as it was made, and by voting for it I am in a measure committing myself to the proposition that we shall not change it, I am going to vote against the amendment.

Mr. SMOOT. Mr. President, I merely wish a minute before the vote is taken upon the pending amendment. I am in receipt of a telegram from New York, signed by the American Paper & Pulp Association, which I shall read to the Senate. It is as follows:

NEW YORK, June 26, 1911.

Hon. REED SMOOT,
United States Senate, Washington, D. C.:

Record of Senate debates shows opposition to Root amendment based on entirely wrong assumptions. First, International Paper Co. does not control paper prices or production. Produce less than 10 per cent of all paper and only about 30 per cent of news print. Could not control situation if it tried to. Great injustice to destroy whole industry, for purpose of injuring International Co. Second, Tariff Board report shows over \$5 excess cost producing print paper United States over Canada, due to cost of wood. Access to Canadian wood in no measure offsets this disadvantage, because transportation charges on Canadian wood to our mills amount to \$5 per ton of paper, while transportation charges to our markets on finished products practically equal from United States and Canada mills. Third, House amendment of original agreement gives incentive to provincial governments to remove pulp-wood restrictions only for benefit of Canadian mills and to continue against exporting pulp wood. There are many ways of accomplishing this result, rendering House provision absolutely ineffective. Root amendment, giving all paper or none free entry, will be much greater inducement to remove all pulp-wood restrictions. Fourth, we again affirm absolutely free competition exists, prices are reasonable, and denounce publishers' statements of combination and extortion as absolutely false.

AMERICAN PAPER & PULP ASSOCIATION.

Mr. President, as I stated, I have just received the telegram. The amendment is about to be voted upon, and I simply wished to read it to the Senate.

Mr. STONE. May I ask the Senator from whom the telegram which he has just read came?

Mr. SMOOT. In my opening statement I stated that the telegram was signed by the American Paper & Pulp Association.

Mr. STONE. It would appear to have come from the International Paper Co.

Mr. SMOOT. I beg pardon of the Senator. I did not hear him.

Mr. STONE. I say it would appear to have been formulated by the International Paper Co.

Mr. SMOOT. No, Mr. President; I think the American Paper & Pulp Association would know about what the International Paper Co. manufactures. That is a matter of record. The Senator will also remember that in the hearings the amount of paper made by that company is stated.

Mr. STONE. I remember that the Finance Committee called on Mr. Lyman, of the International Paper Co., to furnish the committee with information as to the number of mills it had acquired, the number it owned, the number it was operating, the number it had dismantled or discontinued, the amount of its output, and other things of like kind. A similar request for the same information was made by the Ways and Means Committee of the House of Representatives at the last session of Congress, and the information was promised by Mr. Lyman. I am advised by the clerk of the Committee on Finance that Mr. Lyman has sent a communication to the Finance Committee declining to furnish that information. I was wondering whether, instead of furnishing the information to the committee which was investigating the subject matter, he had concluded to send it to the Senate in the form in which the Senator from Utah has presented it.

Mr. SMOOT. Mr. President, as I remember the circumstance referred to by the Senator from Missouri, it was this: The chairman of the committee wrote a letter to Mr. Lyman, the secretary of the International Paper Co., for certain information as to the cost of production, the number of mills which the company owns, where located, what the power costs, and so forth, including details of the minutest kind. Mr. Lyman answered that telegraphic request by a long letter, and I believe that letter has been published.

Mr. STONE. It has been.

Mr. SMOOT. And it is before the Senate. It is dated June 6, 1911.

Mr. STONE. Mr. Lyman declined to furnish the information.

Mr. SMOOT. Mr. Lyman also gives the reason why he declines to furnish the information. I suppose the Senator has read that letter.

Mr. STONE. I have read it.

Mr. SMOOT. Among other things, he says the mills of the International Paper Co. constitute one property, and we are averse to giving Mr. Norris full opportunity to distort facts, magnify trivialities, and so forth, which, of course, Mr. Lyman thinks has been done in the past. Whether it has been or not is for every Senator to judge after reading the testimony. I received the telegram a few moments ago, and I thought it proper to read it to the Senate, and therefore did so.

CORRECTION OF ERRORS IN APPROPRIATION ACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution (H. J. Res. 1) to correct errors in the enrollment of certain appropriation acts, approved March 4, 1911, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, disagreed to by the House of Representatives, and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. PERKINS, and Mr. FOSTER the conferees on the part of the Senate.

RECIPROCITY WITH CANADA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4412) to promote reciprocal trade relations with Canada, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Finance. [Putting the question.] By the sound the "noes" appear to have it.

Mr. NELSON. I ask for the yeas and nays.

Mr. LA FOLLETTE. Mr. President, upon what amendment is the call made for the yeas and nays?

The VICE PRESIDENT. The committee amendment to the so-called reciprocity bill. Thirteen Senators have seconded the request for the yeas and nays—

Mr. LA FOLLETTE. Mr. President, I desire to be heard upon that amendment.

The VICE PRESIDENT. The Senator shall be heard.

Mr. GALLINGER. Would it not be proper, Mr. President, to announce whether the demand for the yeas and nays was seconded?

Mr. CLAPP. Mr. President, I rise to a parliamentary inquiry. I certainly understood, and I think others did, that we were voting on the question whether the request of the House for a conference on a certain measure should be complied with.

The VICE PRESIDENT. The Chair will put the question again, then.

Mr. CLAPP. I did not understand the question.

The VICE PRESIDENT. The question had been put on the measure coming over from the House, and the Chair announced the appointment of the conferees; but the Senator from Wisconsin [Mr. LA FOLLETTE] desires to be heard now, and the Chair will wait until after the Senator has been heard before again putting the question on the amendment.

Mr. LA FOLLETTE. Mr. President, before the vote is taken upon the amendment to the President's so-called reciprocity pact, proposed by the Senator from New York [Mr. Root], I wish to submit some observations for the consideration of the Senate.

First, as to the question of policy: What principle should govern in legislation concerning the supply of pulp wood? What principle should govern in legislation concerning the general subject of timber supply?

I aver that, second only to our need for food, comes our need for timber. Without a sustained supply of timber adequate for its needs this Nation can not maintain its prosperity. With its forests stripped bare and no longer productive this country must face a condition which, in the last analysis, would endanger its very existence.

The question of national timber supply is not one for the people of this country alone. It is really a world question. No one nation can solve it. It would be quite as futile for the United States alone to attempt the solution of this great world problem of maintaining a permanent supply of timber as for any one State of the Union to attempt such a solution on its own part, without regard to the country as a whole. As in the United States it is a national, not a State, problem, so in the case of the great powers it is a world, not a national, problem.

A review of the essential facts regarding the consumption and production of timber in other countries, therefore, is important to a consideration of the general subject of forest conservation, and hence to a consideration of this amendment now before the Senate relating to the supply of pulp wood. I will present to the Senate a very brief, but, I think, valuable, survey of the world's supply of timber.

EUROPE.

Europe both imports and exports more than 1,000,000,000 cubic feet of wood yearly. The imports, however, exceed the exports by about 10 per cent. Since this excess of imports is made up chiefly by supplies from Canada and the United States, it has a very pronounced bearing upon the question now before the Senate.

A brief summary of European conditions is as follows:

First. The leading import countries—that is, Great Britain, Germany, France, Belgium, Switzerland, and so forth—are rapidly increasing the amount of their imports, and this increase is certain to continue.

Second. Russia, Finland, and Sweden only of the export countries have increased their exports to great extent without encroaching on their timber capital.

Third. Norway and Austria-Hungary are already overcutting their forests and will in all probability have to reduce their exports in the future.

In view of these facts and considering the rising prices of wood throughout the world, it is certain that any increase of wood exports from Russia, Finland, and Sweden will be eagerly competed for by Great Britain, France, and Germany, and also that there will be no surplus of any consequence for the United States, which is handicapped by its greater distance from the principal source of supply.

Now, Mr. President, without taking the time of the Senate to go into the details of the world's supply, I request permission to have this summary printed in the Record without reading.

The PRESIDING OFFICER (Mr. PAGE in the chair). Without objection, the request is granted.

The matter referred to is as follows:

AFRICA.

Both North and South Africa are importers of timber, and these imports will increase with the increased development of the country. The forests of central Africa are little known, but it is certain that their area is not so great as was once commonly supposed. The chief species of commercial value in that section are hardwoods, which are expensive, and which have little bearing on the question of the supply of common timber for use in the United States.

ASIA.

India, the chief forest country of Asia, exports teak and some other valuable woods, but it is necessary for it to import structural timber. China is a wood-importing country, and its requirements will undoubtedly take the most of any surplus that may come from eastern Siberia and Manchuria. If only structural timber is considered, Japan is a wood-importing country; but if all woods are considered, it is a wood-exporting country. Japan can supply its own needs when all the forests become accessible, but will probably not be able to export any saw-log timber.

AUSTRALIA.

Australia is a wood-importing country at present, and it is not likely that there will ever be much surplus timber for export. With the exception of comparatively small quantities of hardwoods, the forests of Hawaii can never become important in the timber trade of the world. The Philippines at present import much more timber than is exported. Eventually the native forests should supply the principal demands of the home market with a considerable excess for exportation to near-by countries, such as China. The total stand of commercial timber in the Philippines, however, is about enough to supply the total demand of the United States for two years; hence the islands will never become an important factor in supplying our needs for wood.

TROPICAL AND SOUTH AMERICA.

Mexico, the West Indies, and Central America now import timber, not so much because they have none, but for the reason that their stands are at present inaccessible. It is probable that they will for some time continue to import the common structural timbers and will export valuable woods, such as mahogany and cedar.

For many years South America will continue to export hardwood, dye-wood, etc., and to import lumber and construction material. When the great forests of the Andes and the interior are opened up, then they will supply the home market. Wood consumption will have so increased in South America by that time, however, and logging and transportation will be so expensive because of the comparative inaccessibility of the forests that it is not reasonable to expect any considerable exportation of timber suitable for common uses in the United States.

NORTH AMERICA.

The total stand of timber in Alaska is probably no greater than twice the amount of lumber annually cut in the United States. The Alaskan industries require a considerable proportion of the output of the home forests, so little will remain for export to the United States.

Canada is the only country from which the United States is importing any considerable amount of timber. The total amount of standing timber in Canada, however, is estimated at no more than one-quarter of that in the United States. The Canadian forests are already being cut and burned at least as fast as they are growing.

Mr. LA FOLLETTE. The above facts show a steady increase in the wood consumption and imports of nearly all the leading countries. The tendency is strongly toward a greater cutting of timber by the wood-exporting countries to make up the increasing deficit of the wood-importing countries. This policy, if continued, would lead to a universal shortage, with no surplus to draw upon. This condition will probably be prevented by better methods of forest management and a correspondingly increased timber production. But it is entirely clear from the statements of authorities on the subject, of which the most important is the National Conservation Commission, that the world as a whole has no vast untapped source of timber supply to draw upon. It is equally true, and that is the conclusion of the National Conservation Commission, that eventually the United States must grow the timber sufficient for her needs, or she must go without.

I know, Mr. President, the disposition in this practical age to brush aside all these forecasts and to consider only the needs of the hour. But I make my appeal to the Senate this afternoon from considerations of broader statesmanship than that. We must not deceive ourselves by the belief that once the products of Canadian forests come free into the United States the problem of a sustained timber supply in this country will be solved. At present we get about 900,000,000 feet of lumber and 900,000 cords of pulp wood from Canada each year, or 2 per cent of the lumber and 23 per cent of the pulp wood which we use. Canada has more spruce pulp wood than we have, but her standing saw timber is only about one-third of ours, or enough to supply our total demand at the present rate for about 10 years, and that is all. Whether we have timber to meet our needs continuously will depend upon how we handle our own forests, and not upon the temporary supplies obtainable from other countries. Sooner or later, Senators, we must meet this responsibility. It is before us now. It can not be ignored. And with the problem of the wise handling of our forests comes also the problem of their ownership and control.

But although Canada's supply of standing timber is far more limited than many persons suppose, among whom is the President of the United States, it is still sufficient to supplement importantly for up to half a century the yield of the rapidly dwindling forests on this side of the line.

The question immediately before us, is whether it is in the best permanent interest of the American people to utilize Canadian timber and pulp wood until their own forests have had time to grow again, or whether it is not. This question calls, first of all, for consideration of the extent of our forest resources, of their ownership, of the extent of their use, and of the extent of their misuse.

Our prodigality in the use of the forests can scarcely be told in words. We have exploited them as if we believed them to be inexhaustible. We have stimulated our national appetite for wood until it is far the largest in the world. Our consumption of wood per capita is 260 cubic feet; that of Germany is 37 cubic feet, and that of France, 25 cubic feet. Canada, which has 60 acres of forest per capita to our 6 acres, uses less than 200 cubic feet per capita. Our lavish use of the forest has made possible swift and huge development in home building, in industry, and in commerce, which otherwise could not have taken place. Not only our own country, but foreign countries as well have profited by our prodigality in the exploitation of our originally vast forest resources.

We all understand that, Mr. President. I was born in a timber State. From my childhood I have watched the development of that State. I myself know how generally it was felt, a quarter of a century ago, that the people owed a great deal to the lumbermen. They seemed to be the State builders. The truth is they were destroying one of the great natural sources of the State's wealth. They were gathering immediate harvests, great fortunes, for themselves. They were conducting their lumbering operations without the slightest regard to the future well-being of the Commonwealth. But prodigal as has been our use of the standing timber in the past, the chief reason for the present timber scarcity and for the far greater scarcity to come lies in our excessive waste of wood itself and of the forests which produce it.

For many years you could not ride through northern Wisconsin—and that State is typical of every pine-timber State—without traversing great blackened and charred areas, which were burned over again and again, season after season. Annually these fires swept through our forests, leaving in their wake enormous loss and ruin.

Since 1870 forest fires have each year destroyed an average of \$50,000,000 worth of timber. Not less than 50,000,000 acres of forest are burned over yearly.

I come from a State that has reason to take account of this devastation that comes to us like a blight, year after year, from the forest fires. I live on a little farm 3 miles from the capital of Wisconsin. Almost every summer—particularly in seasons of drouth—the clouds of smoke from fires in northern Wisconsin, carried southward on the winds, are dense enough, even after traversing the entire length of that great State, to obscure my view of the capitol.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Yes, sir.

Mr. GALLINGER. I am much interested in the Senator's discussion of this important question. I want to say to the Senator that a few years ago New Hampshire was obscured one beautiful summer day. We were in comparative darkness, and upon investigation it was determined that it was caused by the smoke from burning forests in the State of Wisconsin.

Mr. LA FOLLETTE. I have no doubt of that, Mr. President, for the great smoke cloud that sweeps down from the northern portion of Wisconsin when the forests are burning spreads its black pall not only over my own State, but drifts across the lakes to the east, and to the west and away to the south beyond the borders of Illinois.

The young growth destroyed by fire is actually worth far more than even the merchantable timber burned. One-fourth of the standing timber is left in the woods or otherwise lost in logging. The loss in the mill is about one-third of the timber sawed. The loss in the mill product through careless seasoning and wasteful fitting for use is from one-seventh to one-fourth. An average of 320 feet of lumber is used for each thousand feet which stood in the forest.

We take from our forest each year, not counting the loss by fire, nearly three and one-half times their yearly growth. We take 40 cubic feet per acre for each 12 cubic feet grown.

We invite by overtaxation the continued misuse of our forests. We should plant, to protect farms from wind and to make denuded or treeless lands productive, an area larger than that of Pennsylvania, Ohio, and West Virginia combined. But so far lands successfully planted with trees make a total area smaller than Rhode Island. And year by year, through careless cutting and fires, we lower the capacity of existing forests to produce their like again or totally destroy them. These statements are vouched for by the National Conservation Commission, and are based upon the best information available regarding the production, use, and misuse of our forests.

I see Senators about me who smile at this phase of my discussion. This is not unexpected. I presume that 40 years ago any voice that was lifted in protest against the great

land grants made to railroads at that time provoked here and there over the Senate Chamber or in the House of Representatives smiles of wearied tolerance. And yet to-day there is no man on this floor, or on the floor of the House, who does not regret that we were so lavish with the public land in our eagerness to have railroad lines builded across this western country. Mr. President, when we have passed away, Senators who will then have the places we now occupy will wonder why we did not interpose with legislation to prevent the waste and the devastation of our natural resources—particularly of our forests.

The statements which I am presenting to the Senate this afternoon are supported by the highest authority based on expert investigation that is wholly disinterested. Of course, it is likely to be called by practical men—men who want to convert our natural resources into fortunes for themselves—chimerical and visionary, just, as I presume, the protests of some Senators and some Representatives of 40 years ago against the extravagant grants made to railroads out of the public domain were ridiculed as carpings of reform.

What I am offering to the consideration of the Senate will some day be regarded as worth while. These statements are conservative statements, compiled from adequate data by trained, conservative men, who have no bias, no partisan feelings, no selfish reasons to pervert the facts. They must be accepted as authoritative and as a basis for legislative action. They will be in some other generation, if not in this.

The inevitable conclusion from all available facts is that we are using our forests up very rapidly. We have about 40 years' supply of mature timber left. After it is gone we will inevitably suffer for timber to meet our needs until our forests have had time to grow again. Whether we escape actual timber famine depends directly upon how promptly and efficiently we apply to the management of our remaining forests the principles of practical forestry.

I do not think we are dependent on any reciprocal agreement—above all, not upon the unjust, one-sided, misnamed pact that we are now called upon to sanction with supine surrender of our prerogatives as legislators—to secure the necessary reinforcements to our timber reserves. Believing this, I purpose to offer, as a part of the tariff revision which will be submitted to the Senate before the fate of this bill is decided, amendments that will deal with this same question. I purpose to place before the Senate this very question of free print paper and pulp wood as a part of a plan of tariff revision. Then, if the Canadian Parliament shall reject—and no man knows whether it will accept or reject—this proposed agreement, we should still secure through the tariff provisions of the bill some measure of relief independent of the action of the Canadian Parliament on the so-called reciprocity provision.

Mr. President, the vital question, and one which must be answered in considering our relations with Canada in the interchange of forest products, is whether we may reasonably expect so prompt and thorough an application of forestry to the bulk of our forest lands in the United States that they will produce in time a supply sufficient for reasonable needs. The men upon whom we should depend for the care of our forests are the lumbermen, in whose hands are three-fourths of our forest area and four-fifths of all standing timber in the United States.

Can we depend upon the lumbermen to log their holdings conservatively, to plant up denuded lands, to protect their forests from fire, and to put these measures into effect promptly, skillfully, and successfully? We can not. We need look only to the experience of Wisconsin to convince ourselves that we can not hope for any such foresightedness and patriotism.

The lumbermen of Wisconsin went out to gather their fortunes quickly. They thought not of the future. What value would attach to the land after it was stripped of the trees was a matter they did not even consider. I know great lumbering companies in Wisconsin that were ready at any time to give to the State at a nominal price their cut-over lands. What they wanted was the magnificent white pine that covered each quarter section, bought often at the low figure of \$1.25 per acre. From each of these they gathered in sometimes as much as \$10,000. What cared they for the future of that quarter section?

Mr. President, it is the experience of my own State that we can not depend upon the lumbermen for the future supply of timber. After they had swept the State clean they left behind them the debris and the refuse and slashings of the timber, which make forest fires an annual visitation. They prepared the way for the destruction of any further growth of timber.

I say, and I say it with keen regret, from our experience in Wisconsin, we can not safely count upon the American lumbermen in general for any service in the direction of the conserva-

tion of our forest supply for the future. For more than a decade the United States Forest Service has pursued a vigorous campaign of education in forestry. It has offered the help of its trained men in the practical solution of forest problems confronting the lumbermen. It has set to all private forest owners a splendid and a most instructive example in its efficient management and protection of the great national forests.

To-day these forests stand as proof to the whole world of the enormous public benefits to be had from the conservation by use of forest lands which are the property of the Nation. But have American lumbermen in general profited by the Nation's example and by the opportunities for help and advice afforded them by the Government? I say, with deep regret, that they have not. To-day not more than 1 per cent of private forest lands in the United States are conservatively logged or adequately protected from fire or handled in any important respect with a view to the production of a second crop. I realize that the general lack of State cooperation in fire control and the generally excessive rates of taxation of forest lands have in some measure retarded the practice of forestry by individual timber-land owners. But these unfavorable influences fall far short of justifying the nearly complete failure of American lumbermen to reduce their present profits far enough to provide for a second crop of timber for the American people.

Had American lumbermen done their duty, it would have been unnecessary and it would have been inadvisable to open America to free rough lumber and wood pulp from Canada. It would have been unnecessary, since had our forests been rightly managed they would already be producing a sufficient supply for all our needs. It would have been inadvisable, because the influx of the Canadian supply will tend to still less care of our own forests through the assumption that now Canada's sources of supply are open to us we may safely disregard the conservation of our own. We are forced, therefore, to a step which would never have been necessary and which has been made necessary directly through the failure of American lumbermen to practice forestry.

Free trade with Canada in forest products would replenish our own timber supply for a period sufficient to enable our own forests to produce again. For that reason I believe that free trade in these products is in the best permanent interest of the American people. But the advantage gained through these reciprocal relations can be totally destroyed if they are permitted to further retard the practice of forestry in America. Many American lumbermen, if given their own way, will find in reciprocity an excuse for continued wasteful exploitation of forests in their hands. That danger, which has already been vigorously pointed out by American foresters, is one which we can not safely disregard. I believe its solution lies not merely in the education of American lumbermen to the business advantages of practical forestry, but in legislation by the States and, if necessary, by the Nation, which will provide that American lumbermen conserve the great resource which they hold in trust, whether it fits in with their individual plans to do so or whether it does not.

The spectacle of a great nation supinely awaiting the complete destruction of her forests through the greed of a small group of corporations and individuals into whose hands they have fallen is little less than a national disgrace. I take the position that the private ownership of a great public resource is a public trust. I hold that American lumbermen should be given whatever help they are entitled to in applying conservative methods through the reduction of excessive rates of taxation and of excessive railroad rates for the transportation of timber. But I hold further that there must also come, and come soon, an honest and a united effort on the part of American lumbermen in general to conserve the forests, upon whose productivity the industrial prosperity of this Nation in large part depends. That which lumbermen should do and will not do in the public interest they should be made to do through legislation. It is in the best interest of the lumbermen themselves that they should give heed to the growing volume of public sentiment for forest conservation, aroused by the public-spirited efforts and the teachings of men like Gifford Pinchot, before this sentiment finds expression in legislation which will be none the less severe because the need for it is created by the selfishness and the shortsightedness of the lumbermen themselves.

In the life of this Nation free lumber and pulp wood from Canada, so far as a sustained supply of timber is concerned, is but a crust to a hungry man. It will stay the pangs of hunger for a brief period, but it leaves the larger problem of square meals in the more distant future entirely unsolved.

In the last analysis, the permanence of our wood supply will depend upon the methods employed by American lumbermen,

who own nearly all the timber in the United States. So far these lumbermen, with a few notable exceptions, have lent a deaf ear to public sentiment for forest conservation, and their most vigorous efforts seem to have been given not to the formation of policies and plans by which they might conserve the forests upon their holdings, but to the concentration of a dominant control of standing timber, steadily tending toward a central control of the lumber industry.

We would do well to remember that before we are assured a sustained supply of timber we will have this central control to deal with along these two main lines: It must not be permitted to succeed in that artificial inflation of the prices of lumber, which is its paramount object; and it must be led, and if necessary it must be forced, so to handle forest lands in private hands that their production of timber will be continuous. If reciprocity in forest products is permitted to interfere or to retard these measures, it will have done more harm than good.

Mr. President, when the question of the duties upon print paper and pulp wood was before the Senate two years ago, when the Payne-Aldrich tariff bill was under consideration, the disinterested testimony then available upon the cost of production of print paper in this country and Canada appeared to establish a production cost of \$1.80 per ton lower in the Canadian mills than in our mills. This testimony was obtained by the Mann committee of the House of Representatives and by the investigations conducted under the direction of the Commissioner of Labor. The facts reported by the Mann committee and by the Bureau of Labor were in substantial agreement, although, as I now remember, the table of figures presented by the Mann committee did not work out the ultimate averages which would show a difference in the labor cost in the production of paper in this country and Canada.

I found it necessary at the time not only to supplement the work of the Mann committee and the work of the Bureau of Labor, but to take both the work of the Mann committee and Bureau of Labor and, upon those figures, to complete and harmonize the work of the two. I remember very distinctly that as a result of that calculation, worked out with the aid of experts, a difference in the cost of each ton of print paper was found to be \$1.80 per ton.

It was also established upon facts presented two years ago that many of the print-paper mills in the United States had exhausted the supply of pulp wood in territory contiguous to such mills, and an investigation which I caused to be made disclosed that the average transportation charge for the raw material to produce a ton of paper would require a duty of \$5 per ton in addition to the difference in the labor cost. I mean that a number of mills in my own State, for instance, had exhausted the supply of raw material in their immediate neighborhood, so that while the difference in producing a ton of paper in those mills and in the Canadian mills, outside of the transportation cost of the raw material, was \$1.80, and fully covered by \$2 a ton, still the transportation cost on the raw material necessary to make a ton of print paper amounted substantially to \$5, because the local fields of supply of the raw material had been exhausted and the nearest supply was so far away that the transportation charge amounted to the large sum of \$5.

Based upon the figures of the Mann committee and the Bureau of Labor the difference in the manufacturing cost per ton of print paper as between this country and Canada it appeared at that time would be covered by a duty of \$2 per ton. The great bulk of the print-paper mills in the United States, like those of Canada, are located in close proximity to the supply of raw material required in its manufacture. But there are print-paper mills in the United States, such, for example, as those located in Wisconsin, so remote from the timber required for the manufacture of such paper, that the freight upon the pulp wood places such mills at an enormous disadvantage. Adding the average transportation charge on raw material to the cost of manufacture would require as to such mills a duty of at least \$7 per ton to measure the difference in the cost of production in competition with Canadian mills. It would be monstrous to contend for the application of the protective principle to offset transportation charges on raw material, amounting to at least two and one-half times the difference in the actual cost of manufacture. It would, of course, be possible but grotesquely absurd to place protective duties on tropical fruits high enough to insure hothouse production in North Dakota. No sound business principle would warrant establishment of an industry so far from the source of supply that the transportation rate on the raw material would constitute from one-fifth to one-sixth of the total cost of the finished product. No justification can be found for taxing the consumers of such finished product to pay for the artificial maintenance of industries so located.

Believing that \$2 was necessary to measure the legitimate difference in the cost of production between this country and Canada I voted for such duty two years ago. Believing, furthermore, that it would be fair to the capital invested in print-paper mills which had exhausted the supply of raw material in contiguous territory, and were therefore compelled to pay transportation charges for hauling their raw material over longer and longer distances, to be still further protected temporarily while changing from the manufacture of print paper to such other forms of paper manufacture as would not be subjected to the excessive transportation charges on raw material, I offered an amendment providing that the proposed rate of \$4 per ton on print paper be continued for the limited period of two years. The amendment which I offered provided that the rate be reduced to \$2 per ton on and after the two-year period. This amendment was not adopted, but in conference the duty was fixed at \$3.75 as a permanent duty. Against this as a permanent rate I cast my vote on the final passage of the bill.

Although the rate of \$2 per ton seemed to me two years ago, upon such facts as were then before the Senate, to be destructive of the industries in Wisconsin, I could not bring myself to vote for a higher rate than that as a permanent rate. I was willing to vote for a \$4 rate, provided it were limited to one year or two years, in which time the machinery used in print paper might be changed to manufacture other forms of paper made from raw material nearer at hand; but I could not vote, Mr. President, for a permanent duty of \$3.75 or \$4 per ton on print paper at that time.

One month ago the report of the Tariff Board relative to pulp and news-print paper was submitted to Congress. It is an interesting document; interesting because of the new disclosures which it makes concerning the manufacture of print paper in the United States and Canada; interesting because it both illuminates and obscures, upon a first reading, important facts regarding this industry. It contains tables that one could almost believe were constructed to confuse, except for the fact that a close study of the text enables the investigator, with much labor, ultimately to find the truth.

It is, however, an important document, and is not only the latest, but altogether the best contribution which has been made to the subject of production cost of print paper in the United States and Canada.

Mr. President, I am going to tax the patience of the Senate for a few minutes to present some facts which any Senator who will take the time can uncover for himself, but I know how busy Senators are, and I am going to assume that not every Senator here has worked out in detail this report upon print paper. It is most illuminating, and, Mr. President, it occurs to me to say that the revelations which this report makes as to the cost of manufacturing paper may throw a light into many obscure places regarding all manufacturing industries, and may greatly aid us in seeking to do justice at this session between the manufacturers, on the one hand, and the consumers, the great public, on the other hand.

The tables given by the report of the Tariff Board on the paper industries of the United States and Canada show on their face a difference in favor of Canada amounting to nearly \$5 per ton on print paper. Taking those tables as the guide—and I submit that that is where almost any man will turn to get his deductions of the investigations of any bureau or any board—taking those tables as his guide, he would be driven to the conclusion that we ought to have at least a five-dollar duty to offset the difference in the cost of production from the stump to the finished product of print paper between this country and Canada. The representatives of the paper industry who appeared before the Committee on Finance made the most of the averages as shown by these tables.

I ask Senators to follow me while I analyze this report. I want to say at the outset that it shows we can manufacture print paper on a common level with the people on the other side of the Canadian border. I will demonstrate that fact by the report of the Tariff Board, upon which the administration relies to sustain this so-called reciprocity pact; and while I am arguing, for the time being, for free print paper and pulp wood, and purpose later to offer that as a tariff amendment, I do not want to be understood as being willing to secure that for the consumers of print paper at the expense of the great agricultural industry of this country. That is not just; it is not right. I do not care whether or not it is popular; I do not care whether or not it gives a man the support of all the newspaper press of the country; it will not have my support. It is not right; it is not just; and I will stand for no legislation that is not just to each and every class, whether it be the producer, the manufacturer, or the consumer. For myself, I will not sanction duties which go below

that level which will be fairly protective, measured by the difference in the cost of labor and the cost of production between this and competing countries. I do not care how alluring the offer of such rates of duty may be to the people of this country. I will do all in my power to secure justice to the newspaper publishers, precisely as I will strive to secure justice for all the people who are the victims of overprotected industries. But whatever may be the consequences, I will not give my approval to this or any other scheme of legislation which sacrifices one class for the benefit of another.

While it is true, on the face of the figures, that the average cost of production of a ton of paper in the United States is more than \$5 in excess of the average cost in Canada, I am not prepared to subscribe to the doctrine that the people of the United States are to be taxed in order to furnish protection—to what? To the real, honest, legitimate difference in the cost of production? No; to the rankest kind of inefficiency. You can have protection so high in any country, and under any protective-tariff system, as to deaden and destroy all incentive for efficient work. That is what we have had in this particular industry. We have been taught in the past that protection was justified as a measure for maintaining a higher standard of life, so important to the American workman and to society, and to that theory I still subscribe. If it can be shown that protection on news-print paper is needed in order to maintain the higher cost of labor in up-to-date mills, as I believed two years ago and as was demonstrated from the figures submitted by the Mann committee and by the Bureau of Labor, I would be the last man to vote for the removal of such duties.

The figures submitted two years ago, Mr. President, were the best available. The Mann committee had made its investigation, had visited two or three mills in Canada and several mills in this country. The Bureau of Labor had made its investigation, and those figures were the best figures available at that time. They showed a difference in labor cost of a little less than \$2 per ton on print paper. They are not comparable to the investigation which has been made by the Tariff Board. They are outclassed in every respect. I am not citing a figure here on the statement of any prejudiced witness appearing before the Finance Committee; I am taking the figures sent us by the Tariff Board. It is an unbiased report, based upon expert investigation.

Now, what does it show? On page 39 of the report of the board there is a table which gives the average cost of production in the United States as \$32.88 and in Canada as \$27.53. That looks as if there were \$5 difference in favor of Canada. It is misleading—I do not want to use any harsher term—and I want to suggest that back of that fact are many things that should put the Senate on its inquiry. That is the most I want to say now.

In that table are also given the lowest and the highest costs in the two countries. The lowest cost for the United States is shown to be \$24.50, as against the lowest cost in Canada of \$24.97; in other words, up-to-date mills in the United States, according to the report of the Tariff Board, based upon figures obtained direct from the books of the paper companies in the United States and Canada, show a lower cost of production in the United States as compared with Canada. What is more significant is the fact that the best American mills show a lower cost than the best Canadian mills, in spite of the higher cost of the ground wood pulp and the sulphite fiber, the two materials which go to make up news-print paper.

As will be seen from the table which I am quoting, the cost of ground wood pulp per ton of paper in the best mills in the United States is \$8.26 as against \$6.16 in Canada, a difference of \$2.10 in favor of Canada. The cost of sulphite fiber per ton of paper in the best mills of the United States is \$6.45 as compared with \$5.28 in Canada, a difference of \$1.17 per ton in favor of Canada. Thus, in spite of a difference of \$3.27 in favor of the Canadian mills, the American mills come off with an advantage of 47 cents on the total cost of paper, making up for the high cost of materials by the lower cost of labor and other expenses. For, as will be seen from the sum total, the cost of manufacturing labor, per ton of paper in the best mills of the United States is \$2.19 as against \$2.72 in Canada, or a difference of 53 cents in favor of the United States; and the other costs, which include miscellaneous supplies, cost of machinery, and sundry expenses, are \$4.63 in the United States as against \$6.31 in Canada, a difference of \$1.68 in favor of the United States.

The higher cost of ground and sulphite pulp is clearly due to the high cost of wood in this country. However, while it can not be disputed that the market price of wood in this country is higher than in Canada, it is well to clear our minds as to the cause of it. If it were due to the higher cost of labor engaged

in cutting down the trees and hauling the logs, there would be no question as to the justification of a protective duty on wood. But this is not the case and can not be maintained by anyone. The difference is due solely to the higher stumpage value placed upon timber by American owners of woodlands. They are able to maintain that higher price partly because of the rapid extermination of our forests and still more because of the tremendous concentration of ownership in a few hands.

That is why I tax the patience of the Senate this afternoon to deal with this great question of timber supply. It might have seemed an abstract and unrelated subject, but I think Senators will now see its pertinence. The findings of the Bureau of Corporations, recently made public, show to what an appalling extent the ownership of our forests is becoming monopolized in this country.

Mr. BROWN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do; certainly.

Mr. BROWN. Will the Senator permit me to call his attention to the fact that the International Paper Co. itself in its telegram to the chairman of the Committee on Finance stated that it could compete with Canada in the production of paper, except for the difference in the cost of wood, as stated by the Senator?

Mr. LA FOLLETTE. I am aware of that fact, and I thank the Senator for citing it right at this point. Are we justified, Mr. President—and I am coming now to a brief discussion of the subject raised by the interrogatory of the Senator from Nebraska—are we justified in imposing duties to protect the monopoly value placed upon stumpage by the Lumber Trust?

But even the higher cost of wood in this country is only fictitious in a large number of cases. Let me quote from the report of the Tariff Board. On page 43, discussing wood profit and stumpage in ground wood pulp, the report says:

Most of the manufacturers of pulp and paper—

Mind you, not some, but "most"—

have protected their supply of raw material by more or less extensive investments in woodlands. As a rule the woodland account is credited with a "stumpage," or price per cord for the standing trees, in the price charged to the pulp mills.

I want to tell you, Senators, that it is pretty difficult to find out from these gentlemen what it costs them to make print paper. An investigation which those conducting it may feel to be thoroughgoing might lead to the conclusion that the paper manufacturers of the United States were actually losing money. I am not saying, Mr. President, that it did in this particular case.

And then, after beating back and forth over the ground, thoroughgoing investigators might find concealed here and there, between the print-paper factory and the timber on the stump, various holding companies—all of them subsidiaries of the paper company—selling their timber to the paper company and taking out immense profits, really the profits of the paper company, but on the books appearing to be the profits of somebody else, leaving the paper company in a manufacturing business that was showing on its face a loss.

Mr. President, a careful study of this report of the Tariff Board will repay any Senator. And I am inclined to believe it will be helpful to us in dealing with every single schedule of the tariff.

The Tariff Board has really very little power. It has to proceed on favor. But if a thoroughgoing investigation of the other tariff schedules is as illuminating as this, I believe we will be able to do a mighty service for the consumers of this country when we come to a thoroughgoing revision of the tariff.

I think the legislation which created the Tariff Board requires revision. The Tariff Board should be given real powers. It should have the power to go into a factory, summon witnesses, and to make them show their books, produce papers, and require them to testify on oath. It has to go in now appealingly and get by favor whatever is given to it. And in some industries, I think, it has already experienced great difficulty in getting the facts; it has found the doors barred and the books locked up. In this particular industry I think it had access to most of the facts. Possibly the device of these holding companies led these paper manufacturers to believe that they could invite the examination of the Tariff Board without serious risk. But they erred in their calculation.

Listen to this. I repeat what the Tariff Board reports:

Most of the manufacturers of pulp and papers have protected their supply of raw material by more or less extensive investments in woodlands. As a rule, the woodland account is credited with a "stumpage" or price per cord for the standing trees in the price charged to the pulp mills.

In other words, the paper company which owns the wood charges itself with a higher price for its own wood than it really costs. It is taking the money out of its right pocket and putting it in its left.

Stumpage—

Continues the report—

was charged into the cost of the wood that produced 572,561 out of the 725,254 tons of ground wood pulp covered by the report. In other words, 78.9 per cent of the ground wood pulp carried a stumpage profit. The lowest stumpage cost per ton of ground wood pulp was 51 cents on 6,003 tons of pulp; the highest stumpage cost was \$2.48 on 38,499 tons; the average stumpage on the 572,561 tons which carried stumpage cost was \$1.16 per ton.

In other words, here we have \$1.16 included in the average cost of pulp and ultimately of paper into which pulp enters as raw material, in the United States, which has no business to be there. While the board clearly points it out in its comments, which I have just quoted, it does not attempt to eliminate it from the cost figure as it appears in the table, so that the latter taken by itself is misleading.

Why were the tables made up in that way? It is unfortunate, since most people are apt to take the figures as they appear in the final tables, having neither time nor patience to read the 130 pages of text. But this is not the only source which goes to swell the apparently higher cost of wood, therefore, of pulp and paper in this country. For not only do most of the paper companies charge themselves with a stumpage on the wood owned by themselves, but a great many of them also add a profit on the woodland operations as such.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. REED. In connection with the remarks the Senator has just made regarding the misleading character of the tables to which he is giving special reference, I desire to call his attention to the fact that certain tables regarding the cost of farm labor in the Dominion of Canada were so made up that when the Senator from Missouri [Mr. STONE] spoke of them, and showed that they did not contain a proper comparison with American wages, the figures were so misleading on their face that when the tables were examined by two other Senators they arrived at the same conclusion that the Senator from Missouri had, although an explanation was afterwards furnished. I simply cite it because it is cumulative along the line the Senator is discussing.

Mr. LA FOLLETTE. Mr. President, I do not mean to be understood as imputing to the Tariff Board as a whole any construction of tables or any reports made to this body calculated to mislead. That is as far as I am going with my qualification.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. Through the courtesy of the Senator, I desire to put into the Record a correction of the statement made by the Senator from Missouri.

It will be remembered that there was a question as to the wages paid in Canada and in the United States, and two Senators did agree with the senior Senator from Missouri [Mr. STONE] that there was a mistake in the tables. But afterwards it was ascertained that there was not a mistake, and it was so stated to the Senate.

Mr. REED. I so stated. The tables as they were made up were so involved and so confusing as to deceive not only the Senator from Missouri, but two other Senators who examined them. After some days of labor they arrived at a solution.

Mr. LA FOLLETTE. Not only do most of the paper companies charge themselves with a stumpage on the wood owned by themselves, but a great many of them also add a profit on the woodland operations as such.

That is—

Says the report—

a profit on the cost of getting the wood from the forests to the mill. Of the 725,254 tons of ground wood pulp covered by the schedules secured, 494,689 tons, or 68.2 per cent, carried a profit cost on woodlands operation over and above stumpage. The highest profit so charged was \$1.96 per ton of pulp. * * * The lowest was 12 cents. * * * The average profit cost carried by the entire 494,689 tons affected was \$1.10 per ton.

Here, then, according to the statement of the Tariff Board, which went carefully into the subject, we have two fictitious charges included in the cost of paper, namely, \$1.16 per ton of pulp for stumpage and \$1.10 per ton of pulp for profit, or a total of \$2.26 for each ton of pulp on the wood owned by the companies.

The mills resort to the same procedure in connection with their sulphite or chemical pulp. The board, in its report, says that—

The average stumpage was \$2.13 per ton of sulphite pulp, the range being from 99 cents as the lowest to \$4.93 for the highest.

In addition to that there was the—

profit on woodland operations * * * the average of such profit * * * being \$2.14 per ton.
Profit here—

Says the board, on page 44 of its report—

must be understood to mean not only profit above stumpage on lands owned by the paper company or a subsidiary, but also the profits on a large amount of wood bought in the open market, either by the firm direct or more often by a subsidiary company, and resold to the parent company or to the pulp mill at a profit on the original purchase price.

And it is upon these fictitiously high costs that the paper companies have the hardihood to demand a protective duty.

As I have just shown, the figures of the board for the best mills in the United States and Canada show a lower labor cost per ton of product in the United States. This is not due to the fact that wages are lower in the United States than in Canada, although that is likewise true in individual instances, as shown in the report of the board, but is principally due to the greater efficiency of American management in the best mills and the fact that Canadians must obtain their machinery and a great part of their supplies from the United States and pay a duty when importing these into Canada.

Says the Tariff Board, on page 55 of its report, on the subject of efficiency of labor in Canada, and I invite the close attention of Senators to this:

Canadian paper and pulp mills are equipped, as a rule, with the latest and most improved machines made by American manufacturers in the United States.

The general managers and superintendents are for the most part Americans of wide experience. Those who are Canadians by birth are men who, like the Americans, have had long years of training in American paper and pulp mills. The skilled men, the machine tenders, and other hands who operate the paper machines are as a rule Americans brought from the United States for the purpose.

And it is acknowledged on all sides that these men must be offered inducements in the shape of higher wages, before they are willing to leave their country for Canada.

Why, then, it may be asked, does the average cost appear to be higher in the United States? The reason for that is that the industry being older in this country than in Canada, we are blessed with a large number of old, backward concerns, with antiquated machinery, resulting in higher costs.

Again let me quote the Tariff Board in support of my assertion: Table 18, on page 53 of the report of the Tariff Board, brings out this point very clearly by means of figures. The last line in the table shows that every mill in Canada was equipped with machines of American manufacture. That means not only that Canadian manufacturers must necessarily pay more for their machines on account of the freight and the Canadian duties on American machinery, but it also means that if a large proportion of American mills show a lower efficiency it is not due to any superior advantage possessed by the Canadians, but the failure of American manufacturers to equip themselves with American-made machines.

It would be an error to assume that the owners of these antiquated mills belong to a class of small but independent manufacturers in straitened financial circumstances.

The great International Paper Co., popularly known as the Paper Trust, controlling about a third of the total output of news-print paper in the country, has failed, according to statements that have never been denied by it, to equip most of the mills it took over at the time of consolidation with modern machinery, preferring to invest its capital in woodlands in this country and Canada which it will not be in a position to utilize for generations to come, and which it proceeded to acquire for purely speculative purposes. The Finance Committee gave that company an opportunity to disprove these statements, but, for reasons best known to itself, it declined to take into its confidence the very committee of which it demands a continuance of these favors. A tariff imposed under such conditions is a bounty to land speculators, and not a measure of protection to manufacturers.

Just what this up-to-date machinery means can be gleaned from Table 18, on page 53, to which I have just referred. Under the head "Capacity of machines" it shows that the average capacity of a machine in Canada is 31 tons of paper in 24 hours, while in the United States it is only 27.8 tons. How is that to be accounted for, in view of the fact that Canadian mills are dependent on the United States for their machinery as well as for the skilled labor required to operate them? The answer is found in the figures printed in the same line of the table from which I am quoting. Group A, comprising 56 per cent of the machines used by the American mills investigated

by the board, shows an average output of 32.4 tons per machine, or higher than the Canadian average, while Group B, comprising 44 per cent of the American machines under investigation, shows an average of only 22.2 tons—almost 30 per cent poorer than the Canadian average and nearly 45 per cent below the average output of the five best mills in the United States, which was 40 tons per machine per day.

In other words, it is Group B, comprising the old junk outfit among which the Paper Trust holds the place of honor, that pulls down the figure of average efficiency of American mills and makes the average cost of production of paper in this country appear so much higher than in Canada. But the mills which prefer to invest their capital in up-to-date equipment rather than in greedily buying up all the visible forest supplies for speculative purposes and keeping competitors out of the business—these mills make a showing which leaves Canada far behind.

The same is true of all the other features which go to make for higher or lower efficiency. Thus in the matter of speed of machines, which determines the length of the roll of paper turned out by a machine per minute, we find the average for all mills in Canada investigated to be 480, while for the United States it is only 465.6 feet. But this lower American average is again caused by the low figure of 422.7 feet of Group B, which group shows an average of 499.3, and Group C as high as 537 feet. While 63.7 per cent of all the Canadian machines showed a speed of over 500 feet per minute, the per cent of American machines of an equal speed was only 38.1, and yet we make the machines for both countries. The explanation of this is very simple. Only the latest machines are made to work at a speed exceeding 500 feet. Those with a lower speed belong to an earlier period and should be discarded by every news-print paper mill which expects to do business without a subvention from Uncle Sam at the expense of consumers. The five best mills in the United States, comprising Group C, show that 90.9 per cent of their machines are of modern construction—that is to say, with a speed exceeding 500 feet per minute.

The same comments are suggested by the figures relating to width of rolls. The width of the roll, in conjunction with the speed of the machine, determines its output, for the wider the roll of paper which the machine can hold and the faster the revolution of the machine the greater its output of paper.

Mr. President, if Senators who believe in protection as I believe in protection, based upon principle, have followed me, they should see in this report on one of the great industries of this country a grave menace to the whole protective system. You can not maintain, sir, in this free country for any length of time any system that does injustice to the great majority of the people. I believe in a measure of protection that equalizes the difference between the labor cost in this and foreign competing countries, but when you make that protection such that you deaden all incentive for improvement, when you raise that tariff wall and exclude foreign competition so that men may rest on their oars because they control the market and can charge what they please, when, in this era of combination, competition between different manufacturers of the same product has been annulled and wiped out and destroyed, then, sir, you have defeated the purpose of protection, and you are undermining and destroying our industrial structure.

Mr. President, I will be for free trade the moment the conditions surrounding labor in this country and the competing countries of the world are in perfect equilibrium. I would rather see the revenues necessary for the maintenance of government derived by direct tax—the tax upon incomes and the internal-revenue taxes that lay the burden where it can most easily and most equitably be borne.

I stand, sir, and have always stood, for a tariff that will measure the difference, where there is a difference, between the cost of production in this and the competing countries.

My reason for that I can state in a word. The lives of the toilers are as completely built into the structure of this Government as are the lives of the men of great wealth. And, Mr. President, I am for a system that will make it possible for them and their children to have equality of opportunity with the man of greatest wealth in this country.

Labor, sir, lives at the level. Its condition is determined practically by the cost of that which it produces. I believe there is a difference in the conditions surrounding labor in this country and in the competing country. I believe the standard of living of labor here is higher and better than in competing countries. I believe that this difference should be measured by the tariff. If the products of the labor of the foreign competing countries come into this country at a lower level because their standards of living are at a lower level than in ours, then unless it is met by a tariff that measures the difference it will

inevitably bring the labor of this country to that level or it will displace and take away the market from our labor.

There is no escape from that. It is recognized by a statute, to which Democrats and Republicans alike subscribed, providing that no manufacturer and no employer of labor shall be permitted to go abroad and employ labor at the price that labor earns abroad. If you will not permit the labor to be performed in this country at the foreign wage level—at the low price paid in other lands for the flesh and blood and bone and muscle that enter into production—then you have, let me say to Democrats here, no warrant or justification for bringing in freely the product of that labor.

So I am in favor of a duty that will recognize the difference between the conditions of foreign and American labor. It is in the homes of the laborers that we find the men who are to determine the destiny and the future of this country. I would not see their opportunities lessened or diminished or restricted so that they can not equip their children for the higher duties of citizenship which must be exercised by the people of a republic.

I am going to appeal later to Senators upon both sides of this Chamber to join with me and with other Senators upon both sides in adopting amendments as a part of this so-called reciprocity bill, this bill which immolates agriculture as a sacrifice for the benefit of packers and millers and the great publishing interests. There is no justification for legislation that confers its benefits on a small class, not entitled to such benefits, at the sacrifice of 33,000,000 of people of this country. And we can not justify our failure to improve the opportunity now afforded us to send up to the President of the United States a measure which, if he wants this reciprocity proposition, shall carry with it tariff reductions that will lift from the bended backs of the people of this country a large part of the burden they are now forced to carry in the form of flagrantly excessive duties which I shall show, before the debate is ended upon this bill, have increased enormously under the Aldrich tariff bill, in some instances more than 100 per cent.

Let me suggest to Senators to be in no haste. This matter is going to be discussed until the people know what a great burden they are carrying. They are going to understand that there is now an opportunity to get rid of at least a portion of it. You can not play politics here unknown to the people. They will understand if, for the sake of projecting the tariff question into the next presidential campaign, Senators are willing to let them struggle on under this excessive burden for one year or two, or—who knows, it may be ten years.

Mr. President, I would save the protective principle. I believe in it. I was a member of the committee that made the McKinley bill. At that time the duties were placed very high. It did not make so much difference then. Why? Because, while there was still competition between manufactures, the tariff was maintained on the theory I have already suggested—the original theory of the men who believed in protection from Alexander Hamilton down to McKinley. It was their belief that no matter what the difference, no matter how high the duties, if they measured more than the difference in the cost of production between this and competing countries, the free competition between domestic manufacturers would keep down prices and save the American people from the extortion of monopolies.

That is what Hamilton said. Nobody has shed any further light on that question since he reasoned it out. I do not believe a new argument has ever been made on the protective theory since Hamilton's time.

But, Mr. President, when the McKinley bill was enacted there was scarcely a trust or combination in this country. Only three or four can date back of that period—the Standard Oil, the Anthracite Coal Combine, and the Sugar Trust.

But, Mr. President, following the enactment of the Wilson bill and the period of depression that succeeded, there came the enactment of the Dingley law in 1897, raising the duties to give to our producers the American market. It is not necessary for me to pause this afternoon to analyze the reasons back of it, but within three years following the enactment of the Dingley law more than \$3,000,000,000 of capital was consolidated into combinations and trusts. Following that, from 1900 down to 1909, when we enacted the Payne-Aldrich law, we had increased until more than \$30,000,000,000 of all the wealth of this country invested in manufacturing had been gathered into trusts and combinations, eliminating competition and enabling the organized combinations to fix prices as they pleased. So that feature of the protective tariff system, upon which Hamilton and Blaine and McKinley and the others had builded their argument—competition among domestic industries—had disappeared. The men who were given the American market behind the duties of the

Dingley law joined together in great combinations and destroyed competition. They could at their own free will put prices to the very top of the tariff wall. There was nothing to prevent it. That marks the beginning of the era of high prices which to-day bear so heavily upon the people of this country.

Mr. President, when we came to the making of the tariff of 1909, as I said to the Senate at that time, we were revising tariff duties under conditions such as had never before existed in this country. That corollary of protection, which Hamilton and Clay and Blaine and McKinley had said would save the American people from monopoly—competition between the protected industries—had been wiped out by consolidation, agreement, and combination. All competition had been destroyed. We faced a new problem. It was vital that we should make the tariff cover just the difference in the cost of production at home and abroad, because there was no competition here to save the consumer from excessive prices if the rate was made higher than this difference. That was the basis of the struggle upon this floor, led by the progressives.

Mr. President, the criticism that is being directed toward some progressives because they do not approve of this so-called reciprocity agreement, constructed along free-trade lines, I think, arises from a misunderstanding of the true position of the progressives at that time. They did not abandon the protective principle. They did not stand for free trade. They voted against reduction of duties again and again whenever the proposed reduction was, as they believed, below the difference in the cost of production at home and abroad.

So, Mr. President, I say that we stand to-day just where we stood at that time. I have made this digression for the purpose of emphasizing that now. Upon this paper proposition we are appealing for the application of exactly that principle. Although it appeared two years ago that a \$2 rate measured the difference in the cost of production, it is nevertheless shown to-day by the most thorough investigation ever made that we can manufacture paper more cheaply than Canada whenever our mills are properly equipped.

So, Mr. President, for my own part, I shall support an amendment to give to the users of print paper the free importation of that product. But I contend, Mr. President, that they are not fairly entitled to that relief at the expense of any other great industry or any other great class in this country. I have been sorely disappointed that the great newspapers of America, controlled by a blind desire to escape the oppression of an unjust combination, have seized upon this opportunity to join with the packers, the railroads, the millers, and other interests to sacrifice agriculture in order that they may have a cheaper product.

It is in testimony, Mr. President, that they are losing to the Paper Trust that controls prices something like \$6,000,000 per year; that if they were given the benefit of free print paper they would be able to make a saving in their purchase of print-paper supplies that in the aggregate would amount substantially to that large sum. That is a great temptation, I concede; but, Mr. President, the responsibility of the American newspaper is so great, its mission so important to popular government, that it should ever resist a desire to publish misleading statements. It should at all times lift itself above the sordid temptation of using its columns to increase its own financial gain.

It is in testimony before the Committee on Finance that the newspapers have suppressed the news; that they were instructed by the president of the Publishers' Association to report fully the proreciprocity side of all news matter. I think, Mr. President, that is the blackest page in the newspaper history of the United States. I deeply regret that it has become a part of the history of this legislation; but, Mr. President, it is a stubborn fact.

There is no man who followed the hearings before the Committee on Finance who does not know that those who made their statements in favor of the President's Canadian pact were given very liberal space, were given very prominent position, were exploited under striking headlines in the newspapers of the country. But when the agricultural interests of the country came before the Committee on Finance, demonstrating the gross injustice, the great wrong, and the tremendous injury to agriculture that must result from this pact, notwithstanding the fact that from an economic viewpoint it was the most important testimony taken by the Committee on Finance, it found but meager space in the reports of our great newspapers.

Mr. President, I can not express the great regret and mortification I feel that such a record of betrayal of public trust on the part of the newspapers of America must go down in history.

Mr. STONE. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. STONE. I have no commission to represent the newspapers, and I suppose I would be among the last men in public life who would be selected by the newspapers to represent them. I have not been a favorite among them, and I interrupt the Senator not to defend the newspapers, but because I think his statement is not quite justified by the facts. It was charged that the Associated Press, for example, had given great space to proreciprocity literature and to the proreciprocity contention, which the newspapers had greedily accepted and widely exploited. The facts as developed show, as I understand, that far more space was given to the antireciprocity propaganda by the Associated Press, and by the newspapers generally, than was given by either one or the other in favor of reciprocity. I wish simply to put that statement, as representing my judgment of the facts, against the statement made by the Senator from Wisconsin, as representing his opinion of the facts, so that his statement may not go unchallenged to the country.

Mr. LA FOLLETTE. Well, Mr. President, there is better evidence than the statement either of the Senator from Missouri or myself upon this subject, and I think it will be furnished before the debate on this bill is concluded. I will not take the time of the Senate to go into it more fully than to say that I think probably every member of the Committee on Finance who followed the reports of the newspapers at the time of the hearings would not agree with the Senator from Missouri.

I return, Mr. President, after a very wide digression, for which I apologize to the Senate, to conclude what I have to say in reference to the report of the Tariff Board upon the paper industry.

Finally, the figures showing the number of years machines have been installed confirm the conclusions I have just stated. While only 6.2 per cent of all the machines in the Canadian mills reporting have been installed for a period of 15 to 30 years, the percentage of the ancient outfit in the United States was 34.7 per cent. When I used the word "junk" earlier in my remarks, I did so advisedly. A machine which is kept in a mill for 30 years in this age of rapid improvements is fit only for the scrap pile. It is unfortunate that the Tariff Board failed to give Congress the full benefit of the information it has obtained, by separating the 30-year-old machines from those only 15 years of age, instead of lumping them together.

I undertake to say that it would be clear to any Senator upon a study of this report that the Tariff Board has that information. They should have given it to Congress and the country. It is important to any body of men who are to take the responsibility of fixing tariff duties. I say this, Mr. President, because I hope that it will serve a good purpose. I believe in a tariff commission. I regret that the present board is so limited in its powers, but whatever its scope, its usefulness to Congress and to the country still depends upon the character of its work. For one I will never permit an opportunity to pass which calls for any suggestion or criticism tending to make more useful for the future the work of such a board or commission, because I believe that the protective system depends for its continued existence upon a scientific adjustment of tariff duties, based upon the accurately ascertained difference in the labor cost between this and competing countries. If that investigation shows that there is no difference in the labor cost, then there should be a leveling of schedules to meet that condition. If, on the other hand, there is a difference, and it is determined scientifically, there should be an adjustment of the duties, up or down, in exact accordance with that difference. I repeat, it is to be regretted that the Tariff Board failed in its tables to separate the 30-year-old machines from those only 15 years of age, thus confusing and obscuring the real facts and impairing in some measure at least the value of its work.

The schedules reproduced in its report indicate that the investigators obtained the age of every machine in the mills investigated. Without violating the secrets of individual mills the board could have compiled the ages of the machines by groups of 10 years, say, so that we could tell more accurately the age and distribution of machinery in the paper industry of the United States. But even the meager light thrown on the subject by the board is sufficient to show that something is rotten in this industry.

Says the Tariff Board on page 52 of its report:

Labor efficiency and labor cost per ton of product are almost entirely dependent upon equipment.

Analyzing the cost of paper turned out by 14 machines in three typical plants in this country the report shows that the labor cost in these three plants is as low as 82 cents per ton

on one machine and as high as \$1.84 on another, or over 124 per cent in excess of the lowest cost.

It is the difference between this new equipment and higher labor efficiency and lower cost—

Says the Tariff Board report—

or, on the contrary, old and slow machines and high costs, that spell profit or loss in the paper business.

Without wearying the Senate with further details, I trust I am justified in believing that I have cited enough figures, taken from the books of the companies by a Government board, to prove that an assertion that it costs more to produce print paper in this country than in Canada is a myth. The report of the Tariff Board conclusively establishes that such is not the general is not due to the higher cost of labor in this country, but exclusively to the failure on the part of paper manufacturers to equip their mills with up-to-date machinery. To advocate a protective duty under such conditions is equivalent to asking for encouragement from the Government of inefficiency and sloth at the expense of the people. When it is borne in mind that the inefficiency has been due, for the most part, not to lack of capital but to greed, which has caused the capital to be taken from its proper field of application and put to speculative uses of a most objectionable if not criminal character, the hardihood of the speculators clamoring for protection is truly remarkable. To that kind of protection I for one will not subscribe.

Mr. President, the friends of the Canadian pact seem to be very much in conflict as to the meaning of the Root amendment.

The Senator from New York, an ardent supporter of the bill, declares that his amendment harmonizes the bill with the agreement and ought for every reason to pass. He is for this bill as a whole.

The President opposes the Root amendment as hostile to the provisions of the bill to which it relates.

The Senator from Massachusetts [Mr. LODGE], whose zealous advocacy of this so-called reciprocity measure is well understood, advocates the adoption of the Root amendment as vitally important.

Representative MANN, former chairman of the committee which investigated the manufacture of print paper in Canada and the United States, asserts that he drew the provisions which appear in the Canadian pact on this subject, and that the Root amendment is in conflict with the agreement, and will, if adopted, destroy all opportunity to secure the admission of free print paper from Canada into the United States.

Mr. President, I am opposed to this bill as a whole. If it is passed, as I hope it will not be, I would prefer it to be made as nearly perfect as possible. I shall cast my vote against the amendment proposed by the Senator from New York, although for tactical reasons I voted otherwise in committee. I would have voted for any proposition in committee which I believed would lead to an adverse report from the committee upon this bill. But if this bill is to become a law, I believe there is no justification or warrant to be found in the facts reported by the Tariff Board for any duty upon this industry, and for that reason an amendment should be adopted making print paper and pulp wood free. The State of Wisconsin is one of the large print-paper manufacturing States of this Union. But I will stand for no duty on any industry unless I believe that that duty represents approximately the difference in the cost of production between this and competing countries, unless it be shown that there is some reason for a departure from that rule in a particular case.

I believe that the facts which I have presented to the Senate show most conclusively that there is no justification upon any sound, economic principle, as applied to protective duties, for continuing the duties upon the manufacturing of print paper in this country. For that reason, Mr. President, and because I believe that the amendment offered by the Senator from New York, in the event of the adoption of this Canadian bill, will defeat the very purpose of the paragraph relative to print paper, I shall vote against that amendment.

Mr. NEWLANDS. Mr. President, before the vote is taken, I wish to say a few words regarding my individual position as to this bill, and a few additional words regarding the parliamentary situation.

I have always been opposed to reciprocity treaties. I believe that these favored arrangements between countries do more to create international jealousy and hostility than they do to create international friendship. I also believe that no nation should embarrass its fiscal system by contractual relations with other countries. I believe that every nation should keep its fiscal system absolutely within its own control; that otherwise, if it enters into contractual relations with one, the principle

carried out would mean that it would enter into contractual relations with all, and thus its entire fiscal system becomes a matter of contract instead of a matter of law, a matter of contract embarrassed by the necessity of negotiations with the different countries when relief from the treaty is sought, and when imperative action is required upon the part of a nation with reference to its own finances.

Therefore I have always stood against reciprocity treaties. But I propose to make an exception as to this reciprocity treaty, first, because of our peculiar relation to Canada and the desirability of freer trade with that neighboring country; and, second, because during 18 years of public life, in a vain effort, in connection with others, to secure a scientific system of gradually reducing the tariff through a Tariff Board acting under rules fixed by Congress, I have come to the conclusion that the only way to accomplish anything in the way of hostility to the high protective system is to make a breach in the wall wherever an opportunity offers; and I think a most effectual breach in the protection wall will be made when we divorce the farmer from the manufacturer in the support of a high protective tariff.

We are beginning to realize now what was for a long time denied by the Republican Party, that the duty represents the exact additional cost imposed by American producers upon products which are favored by the tariff, and that whilst the Government of the United States receives as revenue annually about \$300,000,000, the beneficiaries of the tariff are able to impose upon the people of the United States in increased prices for their products a tax of \$3,000,000,000. Whilst the Government receives about one-tenth of this annual tax imposed upon the people, the manufacturers receive nine-tenths.

It is true that the farmer as yet has not received benefit from the tariff. His participation has been postponed to the time when consumption, in this country, of his products shall equal production. Then, with no exportable surplus, the tariff duty would be added to the domestic price. I wish to prevent the farmer from adding that duty to his price and thus exacting from domestic consumers 30 per cent more than the world's price for food products, and I believe that this is the time to do it and that this is the way to do it. I wish to prevent the possibility of a farmer's graft and to take away the actuality of the manufacturer's graft, and the best way to accomplish this is to prevent any community of interest in the tariff graft.

Mr. President, regarding the parliamentary situation, it was demonstrated the other day by a vote of instruction to the Finance Committee that the progressives of the Senate were in the control of the Senate; that the so-called dominant party had lost control; and that the control was transferred to the progressives of this body, consisting of about 40 Democrats and about 16 or 18 progressive Republicans.

I took advantage of the opportunity then to congratulate the Senate upon the restoration of self-government here. For since the coming of the progressive Republicans into this body, a coming which was welcomed by the Democrats, we have seen a gradual advance in self-government by the Senate. The control of leaders, so-called, has been done away with. The domination of committees has been done away with. Committees are now regarded as the servants of the Senate, subject to its command. We no longer have the old domination of committees, strong in their membership and strong in the traditions of the Senate.

The question now arises as to what these allied forces, allied not in secret meeting, but openly in the Senate and before the entire country, having secured the control of the Senate, with the attaching responsibility, propose to do regarding tariff reform and regarding other progressive and constructive legislation concerning which public opinion is now made up.

Mr. President, representative government has been thrown into discredit in this country by reason of the fact that the representatives of the people have failed to respond to public opinion. The Senate itself has become largely discredited in public opinion by reason of the fact that it has not responded to public opinion. The House was similarly discredited at one time, but it is now reestablished in the good opinion of the people of the country by the action of the dominant party there, acting in party conference, adopting a specific legislative program looking to definite results, and advancing with dignity and precision toward accomplishment.

Can we not undertake the work of reestablishing the Senate in the esteem of the great American people? And can not these allied forces that gained so signal a victory a few days ago, in the open, not in secret caucus or conference, but before the entire American people, determine here and now upon a legislative program that will involve not only these questions of tariff reform, but other questions of reform, of progressive and con-

structive action concerning which public opinion is made up? Why should we not act just as decisively as the House of Representatives has, mapping out what matters we propose to undertake in legislation and what matters we propose to undertake in committee consideration, with a view to action at the next session?

Four months and more of time are now before us—time which may be frittered away by such sessions as we have been having, but four months of effective and triumphant work if the progressives of this body determine upon a definite line of action.

The best way of securing an early adjournment is to determine upon a definite line of action, first, with reference to the matters which are to be acted upon at this session; second, regarding the matters which are to be considered by our idle committees with a view to action early in the next regular session. I have offered a resolution upon this line presenting nine questions for immediate action, of which six have already been acted upon in the House, and seven other questions for consideration by our idle committees with a view to action at the next session. These questions relate to reduction in military expenditure; the creation of a board or commission of interstate trade, with powers of investigation, correction, and recommendation to Congress; monetary legislation; and other matters as to the necessity of which public opinion is formed.

Mr. President, we are met by the embarrassment that the Democrats in disposing of these matters are confronted by the possibility of shifting changes as to their allies. The Democrats for the most part believe that it will imperil this reciprocity bill if they allow it to be amended. In taking that position, if they do take it, they must necessarily ally themselves with the reactionary portion of the Republican Party, with whom they have no sympathy, and abandon for the time being those allies with whom they are in sympathy, and with whom they have acted in the progressive program that has been before the Senate for some years.

So far as I am concerned, Mr. President, I am unwilling to imperil this bill. It is my inclination to vote against any amendment which will involve any chance of imperiling it. I can only be shaken in that view by a definite program presented with the absolute assurance of accomplishment.

Certainly the progressives of this body can take up and pass not only the reciprocity treaty, but bills reducing high protective duties and involving other measures of reform and constructive legislation which are imperatively demanded. I am aware that in this great work the Democrats can not expect to accomplish all that they hope to accomplish. I am aware that they may not be able to pass the bills in the precise form in which they passed the House. The difference, however, between the Democrats and the progressive Republicans is that whilst the progressive Republicans can not, consistently with their principles, go as far as the Democrats would in the matter of tariff reform, the Democrats acting upon their principles can go as far in the line of reduction as the progressive Republicans are willing to go, and can justify themselves before their party and before the country upon that issue.

I hope, therefore, Mr. President, that this alliance which has put the Senate practically in the control of the progressives of this body, which has given them not only control, but responsibility, will be fruitful of results. Such beneficial results can not be accomplished without patient effort, without a firm determination to come together, and without a firm resolve to definitely act upon a legislative program. I shall bring up for consideration the resolutions regarding a definite legislative program, to which I have referred, at some day in the near future.

Mr. GRONNA. Mr. President, I shall not occupy more than a moment of the time of the Senate. I do not attach much importance to the vote that is to be taken, but there is, however, enough of importance in it to demand attention. I wish to give as much consideration to the industries of my own country as to those of a foreign nation. If I thought, Mr. President, that it would be an injury to the newspapers of this country to incorporate the amendment, I should not vote for it; but I have made some calculations from figures based on the weekly newspapers of the country. The paper that sends out 52 issues, an eight-page paper, containing six columns, weighs on an average 2 ounces. The duty on print paper is \$3.75 per ton.

Now, we will admit that the paper manufacturers in this country get all that duty. I understand that Mr. Norris, testifying before the Finance Committee, said that there was a difference of \$4.20 per ton in the cost of print paper in this country and Canada. I take it that he included the freight, but I do not suppose that the newspaper men in this country expect by the passage of the bill that freight will be eliminated. Two ounces to a paper means eight papers to the pound. Fifty-

two issues means 6½ pounds per year for one paper or one subscriber. That, Mr. President, means 1.21 cents per year for each subscriber. I do not believe that the papers in this country will sustain any loss if this amendment is adopted. I am speaking now of the weekly papers of the country.

I shall vote for the so-called Root amendment. I know, Mr. President, that we can not amend the bill so as to make a good bill of it. In my judgment, the only thing that should be done with the bill is to make a motion to have it indefinitely postponed.

Mr. President, I intend some day in the near future to make a few observations upon the reciprocity measure. I simply wanted to say these few words justifying my position in voting for the Root amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The VICE PRESIDENT. Are there other amendments to be offered as in Committee of the Whole?

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 27, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, June 26, 1911.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, source of all wisdom, power, and goodness, look with compassion upon us, pardon our sins, illumine our minds, impart unto us strength sufficient for our needs, fill our hearts with love for Thee and our fellow men that we may measure up to the highest ideals of manhood in whatsoever we undertake this day, that we may prove ourselves worthy as children of the living God. In the spirit of the Master, amen.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSON of South Carolina, for three weeks, on account of sickness in family.

To Mr. TALCOTT of New York, one week, on account of important business.

To Mr. HOWELL, indefinitely, on account of important business.

CORRECTING ENROLLMENT OF CERTAIN APPROPRIATION ACTS.

The SPEAKER laid before the House joint resolution 1, with Senate amendments.

The Clerk read as follows:

House joint resolution 1, to correct errors in enrollment of certain appropriation acts approved March 4, 1911.

The amendments were read.

Mr. FITZGERALD. Mr. Speaker, I move that the House disagree to the amendments and ask for a conference.

The motion was agreed to.

The SPEAKER. The Chair announces the following conferees.

The Clerk read as follows:

Mr. FITZGERALD of New York, Mr. BURLISON of Texas, and Mr. CANNON of Illinois.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations I report a bill to supply deficiencies in certain appropriations. (H. Rept. 55.)

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the bill may be considered now in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent for the present consideration of the bill in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I suggest to the gentleman that he move to go into the Committee of the Whole.

Mr. FITZGERALD. I would have to do that by unanimous consent.

Mr. MANN. I know that. It will probably be subject to a point of order, but probably nobody will make the point about that.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union to consider a bill to supply deficiencies in certain appropriations.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk has just reported. The question is on agreeing to that motion.

Mr. FITZGERALD. Pending that motion, Mr. Speaker, I will ask the gentleman from Illinois [Mr. MANN] if we can agree upon the time for debate, so that there will be a definite understanding about it.

Mr. MANN. Oh, that is not necessary.

Mr. FITZGERALD. Perhaps we shall not need it.

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House for the fiscal year 1911, and for other purposes, with Mr. RUCKER of Missouri in the chair.

On assuming the chair Mr. RUCKER of Missouri was greeted with applause.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill reported from the Committee on Appropriations to supply deficiencies, which the Clerk will now report.

The Clerk read as follows:

A bill (H. R. 12109) to supply a deficiency in the appropriations for contingent expenses of the House of Representatives for the fiscal year 1911, and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The text of the bill is as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to supply urgent deficiencies in appropriations for the fiscal year 1911, and for other purposes, namely:

HOUSE OF REPRESENTATIVES.

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, \$12,850.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners, and for the use of the committees and officers of the House, \$1,000.

For furniture, and materials for repairs of the same, \$16,800.

For compensation of the clerk to the Speaker's table for preparing the Digest of the Rules for the first session of the Sixty-second Congress, \$1,000.

DISTRICT OF COLUMBIA.

The amount authorized to be expended for the employment of personal services under the appropriation in the District of Columbia appropriation act for the fiscal year 1911, for the enforcement of certain acts of Congress to prevent the spread of contagious and communicable diseases in the District of Columbia, is hereby increased from \$10,000 to \$10,200.

Mr. FITZGERALD. Mr. Chairman, this bill carries several items to supply deficiencies in the appropriations to enable the House properly to conduct its business.

The first item is for \$12,850 for miscellaneous items of the House. The appropriation for the current fiscal year was \$75,000, but there had been expended out of this appropriation up to the 1st of April \$57,000, leaving a balance to the credit of the appropriation at that date of \$18,000. Since that time certain outstanding obligations which had been incurred have been presented, which amounted in all to about \$6,627, and since that time there have been authorized by resolutions of the House certain employees whose compensation aggregates \$2,600 a month, and under the resolutions authorizing investigations of various organizations employees aggregating an expenditure of \$1,700 a month have been employed.

In addition to this, the witnesses who have been brought here by these various committees have incurred obligations which require these expenditures. So that a careful computation shows that it will require for the balance of the fiscal year the amount specified in the bill.

For furniture for the House of Representatives there was appropriated \$20,000.

Mr. NORRIS. Mr. Chairman, I would like to ask the gentleman a question before he leaves the first item.